



MINUTES OF THE CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING

On July 21, 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; Carol Lynn Sanchez, Mayor Pro Tem; Rene Villafranco, Commissioner, Place 2; Mark Sossi, City Attorney.

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

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

ITEM 1. WELCOME.

[Mayor Pro Tem Carol Lynn Sanchez](#) called the meeting to order at 5:30 p.m. confirming a quorum.

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

[Martha McClain, Public Relations Director](#) 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.

[Pastor Loya from Cross Church](#) led all present in prayer.

ITEM 4. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.

[Mayor Benjamin Gomez](#) expressed the importance of continuing to use face coverings and keep social distancing due to the ongoing 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 no public comments.

ITEM 6: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE JUNE 23, 2020 SPECIAL CITY COMMISSION MEETING AND BUDGET WORKSHOP.

[Mayor Pro Tem Carol Lynn Sanchez](#) requested a motion. [Commissioner Rene Villafranco](#) moved to approve. [Mayor Benjamin Gomez](#) seconded the motion. Voting Aye; [Mayor Benjamin Gomez](#), [Mayor Pro Tem Carol Lynn Sanchez](#), and [Commissioner Rene Villafranco](#). Motion carried to **APPROVE THE MINUTES OF THE JUNE 23, 2020 SPECIAL CITY COMMISSION MEETING AND BUDGET WORKSHOP.**

ITEM 7. PUBLIC HEARING: TO SOLICIT INPUT FROM CITIZEN PARTICIPATION ON PROPOSED FISCAL YEAR 2020-2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN.

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

[Elvira Cavazos, CDBG Coordinator](#) addressed the City Commission by identifying herself and advising this is the second of two required public hearings held. The first hearing was held on June 24th, 2020. This public hearing is to solicit input from citizens on the proposed Fiscal Year 2020-2021 Community Development Block Grant Annual Action Plan published on June 19, 2020 in the San Benito News. The thirty-day comment period ends July 22, 2020. We will present the Final Action Plan for City Commission approval on August 4th, 2020

Mayor Pro Tem Carol Lynn Sanchez opened the floor at 5:34 p.m. to solicit input from the public.

Mayor Pro Tem Carol Lynn Sanchez closed the floor at 5:35 p.m. being there were no comments from the public. No motion carried **PUBLIC HEARING ONLY.**

ITEM 8. PRESENTATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE THE AMENDED AGREEMENT BETWEEN THE SAN BENITO PUBLIC HOUSING AUTHORITY AND THE CITY OF SAN BENITO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG).

Elvira Cavazos, CDBG Coordinator identified herself and addressed the City Commission advising the City Commission approved \$5,000.00 on the 2018-2019 Action Plan to the San Benito Public Housing Authority for the installation of water and sewer lines for the Magnolia Gardens Project. The original agreement expired on September 30, 2019. In August 2019, the Housing Authority requested an extension until December 2019. The installation was completed on January 2020. According to the HUD Office in San Antonio, payment cannot be made unless the agreement is amended. The amended date is until July 31, 2020. Commissioner Rene Villafranco questioned if this is carrying over. City Manager, Manuel De La Rosa advised it allows us to allocate the \$5,000.00 that was awarded with the new deadline. As long as this City Commission agrees to extend it to the end of the month then they can qualify to close up the project. Mayor Pro Tem Carol Lynn Sanchez requested a motion. Commissioner Rene Villafranco moved to approve. Mayor Benjamin Gomez seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, and Commissioner Rene Villafranco. Motion carried to **AUTHORIZE THE MAYOR TO EXECUTE THE AMENDED AGREEMENT BETWEEN THE SAN BENITO PUBLIC HOUSING AUTHORITY AND THE CITY OF SAN BENITO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG).**

ITEM 9. PRESENTATION AND UPDATE OF THE CITY OF SAN BENITO'S MAJOR MEDICAL GROUP HEALTH PLAN AND EMPLOYEE SUPPLEMENTAL INSURANCES FOR FISCAL YEAR 20202021.

Yolanda Villafranca, Human Resources Director addressed the City Commission by identifying herself and Ruben Garza, Vice-President of Lone Star Insurance Services and Agent of Record for the City. Ms. Villafranca addressed the City Commission advising together, they will answer any questions during their review the City's major medical group, health and supplemental insurance plans. Mayor and commissioners, if I may, I would like to provide an overview of the City's plan by means of a PowerPoint. On slide one, you will see that the City of San Benito Major Medical Plan which has three components, the major medical carrier which is ABA (Assured Benefits Administrators), the Stop Loss Insurance carrier which is American National and the Pharmacy Benefit Manager which is Welldyne. On the second slide, you will see that our Stop Loss Insurance carrier is American National and if we continue with this carrier, the re-write is a 4.88 cost savings from this prior year. They propose to lock in the rate, which is a 4.88% in savings after reviewing the claims in June and stop loss carrier covers any claims over \$50,000.00. On slide three, we are proposing a change to our Pharmacy Benefits Manager from Welldyne RX to Medalist RX. The change includes a 29% cost savings from this prior year and employees will have all current prescriptions grandfathered with Medalist RX. There will be no change in benefits. On slide four, as per Supplemental Insurances, we are proposing a change to our Hospital Indemnity Plan from SIS Link to Colonial Life. Colonial Medical Bridge would provide additional benefits for ground and air ambulances and annual wellness benefits for medical devices such as crutches, and, a benefit of \$25.00 per doctor visit up to three visits per year. Benefits for hospital confinement, outpatient ER visits and X-rays will also be included as before. Supplemental Insurances are paid at 100% by the employee. The City does not contribute to that. Mayor Benjamin Gomez questioned how does the air ambulance coverage work. Ms. Villafranca advised, if an employee purchases this plan and they were to be taken by air, they submit their claim and they would be paid a benefit for that. That has nothing to do with their major medical. If their major medical insurance, that is why there are three components, if that part of it covers that ambulance rate, then the insurance pays that and whatever your out-of-pocket is, you pay towards that. But, if you purchase this separately, like an accidental plan, you can submit a claim and you would get paid that benefit. Mayor Benjamin Gomez stated he thought we do not have any air ambulance services in the Harlingen and San Benito area. Ms. Villafranca advised the air ambulance that we have is out of Hidalgo. Mr. Garza advised yes, they serve the Valley, so this would pay any air ambulance servicing the Valley. There is, I believe, one company that services the Valley and this plan covers it. Mayor Benjamin Gomez advised his employer was deducting for it for so many years and later found out they did not have that service in the Valley. He does not want employees to paying for something they are not going to receive. Yolanda Villafranca advised they will verify. Ruben Garza advised there's other features on Colonial Plan covered aside from that, that is sort of an enhancement. I think there's only like ten people that are currently on the plan, so, it just enhances what they currently have and this is just an added benefit but we will definitely

check on that. [Commissioner Rene Villafranco](#), inaudible. [Ms. Villafranca](#) confirmed it is a voluntary product, if you want to purchase it you can purchase it and currently we have ten employees in the City that have opted to purchase. Overall, our self-fund plan has proposed to see a 33.88 % cost savings for Fiscal Year 2020-2021. We are available to answer any questions you may have. [City Manager Manuel De La Rosa](#) stated, Mayor and Commissioners, if I may make a comment, she is going to go through some other items but what we are trying to do is lock in some of the rates now. This COVID-19 is so early, we are really not seeing people affect our employment and once we lock in the rates, you cannot change them. If you read today's article in the Valley Morning Star about City of Harlingen employees' health insurance plan, it jumped \$376,815.00. I think the City is doing relatively good in managing its health care for its employees. We have the supplemental, whether it is dental, vision, or other supplemental. We try to manage those for them and we are seeing those benefits and again, we had a conversation with the department directors and coordinators about a week ago just to discuss this so they could go back to their employees. The prescriptions, regular prescriptions, which probably about ninety-nine percent of our employees are, we may have one or two that take special medication because they are older or something doesn't work well with them, but you have to go through a process to go from the generic to the more specialty, it's a tier step system. Overall, we are not taking anything away and no increases for them or for us. As a matter of fact, it's a savings for us in the long run. [Yolanda Villafranca, Human Resources Director](#), advised, that concludes our presentation unless you have any questions. No further questions were received. No motion carried **PRESENTATION AND UPDATE ONLY.**

ITEM 10. CONSIDERATION AND POSSIBLE ACTION TO CONTINUE WITH THE CURRENT CITY OF SAN BENITO'S MAJOR MEDICAL GROUP HEALTH PLAN WITH A PROPOSED CHANGE TO THE CURRENT PHARMACY BENEFIT MANAGER FROM WELLDYNE RX TO MEDALIST RX.

[Yolanda Villafranca, Human Resources Director](#) addressed the City Commission stating agenda item number ten is to request your authorization to continue with ABA, which is our current major medical carrier, and to change our pharmacy benefit manager to Medalist RX. Medalist RX has proposed a 29% cost savings for Fiscal Year 2020-2021. [Mayor Pro Tem Carol Lynn Sanchez](#) requested a motion. [Mayor Benjamin Gomez](#) moved to approve. [Commissioner Rene Villafranco](#) seconded the motion. Voting Aye; [Mayor Benjamin Gomez](#), [Mayor Pro Tem Carol Lynn Sanchez](#), and [Commissioner Rene Villafranco](#). Motion carried to **CONTINUE WITH THE CURRENT CITY OF SAN BENITO'S MAJOR MEDICAL GROUP HEALTH PLAN WITH A PROPOSED CHANGE TO THE CURRENT PHARMACY BENEFIT MANAGER FROM WELLDYNE RX TO MEDALIST RX.**

ITEM 11. CONSIDERATION AND POSSIBLE ACTION TO CONTINUE WITH THE CURRENT EMPLOYEE SUPPLEMENTAL INSURANCES FOR FISCAL YEAR 2020-2021 WITH A PROPOSED CHANGE TO THE HOSPITAL INDEMNITY PLAN.

[Yolanda Villafranca, Human Resources Director](#) addressed the City Commission stating agenda item number eleven is to request your authorization to change the Hospital Indemnity Plan to Colonial Life for the Colonial Bridge Product. This product will provide employees the option to purchase a Supplemental Insurance and provide additional benefits. [Mayor Pro Tem Carol Lynn Sanchez](#) requested a motion. [Commissioner Rene Villafranco](#) moved to approve. [Mayor Benjamin Gomez](#) seconded the motion. Voting Aye; [Mayor Benjamin Gomez](#), [Mayor Pro Tem Carol Lynn Sanchez](#), and [Commissioner Rene Villafranco](#). Motion carried to **CONTINUE WITH THE CURRENT EMPLOYEE SUPPLEMENTAL INSURANCES FOR FISCAL YEAR 2020-2021 WITH A PROPOSED CHANGE TO THE HOSPITAL INDEMNITY PLAN.**

ITEM 12. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO SIGN THE APPLICATION FOR EXCESS LOSS INSURANCE FROM AMERICAN NATIONAL INSURANCE COMPANY FOR STOP LOSS INSURANCE PERTAINING TO THE CITY OF SAN BENITO'S MAJOR MEDICAL GROUP HEALTH PLAN, THE MANAGED PHARMACY BENEFIT PREFERRED PRICING SERVICES AGREEMENT FOR THE PHARMACY BENEFIT MANAGER, AND THE COLONIAL LIFE FLEX PLAN SUPPLEMENTAL FORM FOR SUPPLEMENTAL INSURANCES FOR FISCAL YEAR 2020-2021.

[Yolanda Villafranca, Human Resources Director](#) addressed the City Commission advising agenda item twelve is to request your consideration to authorize the Mayor to sign the application, agreements and forms required to make the necessary changes to the City's major medical health and supplemental plans for Fiscal Year 2020-2021. [Mayor Pro Tem Carol Lynn Sanchez](#) requested a motion. [Commissioner Rene Villafranco](#) moved to approve. [Mayor Benjamin Gomez](#) seconded the motion. Voting Aye; [Mayor Benjamin Gomez](#), [Mayor Pro Tem Carol Lynn Sanchez](#), and [Commissioner Rene Villafranco](#). Motion carried to **AUTHORIZE THE MAYOR TO SIGN THE APPLICATION FOR EXCESS LOSS INSURANCE FROM AMERICAN NATIONAL INSURANCE COMPANY FOR STOP LOSS INSURANCE PERTAINING TO THE CITY OF SAN BENITO'S MAJOR MEDICAL**

GROUP HEALTH PLAN, THE MANAGED PHARMACY BENEFIT PREFERRED PRICING SERVICES AGREEMENT FOR THE PHARMACY BENEFIT MANAGER, AND THE COLONIAL LIFE FLEX PLAN SUPPLEMENTAL FORM FOR SUPPLEMENTAL INSURANCES FOR FISCAL YEAR 2020-2021.

ITEM 13. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NUMBER 2575-AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS, ("CITY") APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITY AND TEXAS GAS SERVICE ("TGS" OR "THE COMPANY") REGARDING THE COMPANY'S APRIL 30, 2020 COST OF SERVICE ADJUSTMENT ("COSA") FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING NEW TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; PROVIDING FOR THE RECOVERY OF THE CITY'S AND TGS' REASONABLE AND NECESSARY RATE CASE EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; REPEALING ANY PRIOR ORDINANCES INCONSISTENT WITH THIS ORDINANCE AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY'S AND THE CITY'S LEGAL COUNSEL.

City Manager Manuel De La Rosa addressed the City Commission stating, Mayor and Commissioners as you may recall on April 30th of this year, Texas Gas Service filed a rate increase. The attorneys in Austin that represent all the coalition of cities is recommending a settlement, this is what is before you. It is pretty self-explanatory but it talks about the rate increase; we are commending approval as this is the directions that all the cities are looking to settle with, thank you. Mayor Pro Tem Carol Lynn Sanchez requested a motion. Commissioner Rene Villafranco moved to approve. Mayor Benjamin Gomez seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, and Commissioner Rene Villafranco. Motion carried to APPROVE ORDINANCE NUMBER 2575-AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS, ("CITY") APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITY AND TEXAS GAS SERVICE ("TGS" OR "THE COMPANY") REGARDING THE COMPANY'S APRIL 30, 2020 COST OF SERVICE ADJUSTMENT ("COSA") FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING NEW TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; PROVIDING FOR THE RECOVERY OF THE CITY'S AND TGS' REASONABLE AND NECESSARY RATE CASE EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; REPEALING ANY PRIOR ORDINANCES INCONSISTENT WITH THIS ORDINANCE AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY'S AND THE CITY'S LEGAL COUNSEL.

ITEM 14. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NUMBER 2020-0012, A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPROVE THE APPLICATION AND ACCEPTANCE OF ANY OPERATION STONEGARDEN (OPSG) GRANT NUMBER 3186805 THAT THE OFFICE OF THE GOVERNOR ISSUES FOR THE PERIOD OF PERFORMANCE OF APRIL 1, 2020 AND ENDING FEBRUARY 28, 2021 (CAMERON2019 OPSG).

Assistant City Manager and Interim Chief of Police, Fred Bell addressed the City Commission by identifying himself and stating, the City of San Benito Police Department has participated on the Operation Stonegarden Grant Program for several years. This grant provides funds for the officers to work overtime in certain areas of the county in order to coordinate operations and information sharing with the U.S. Border Patrol to support border security efforts within the Rio Grande Valley sector. Law enforcement officers patrol rural areas in order to reduce offenses related to human smuggling, drug trafficking and firearms smuggling. The grant award is for two years but the resolution must be passed by participating departments and communities every year. The resolution is included in your packet. I've also included an insert from the overall award packet detailing the amount that was awarded to the San Benito Police Department. Commissioner Rene Villafranco asked if only ten officers participate. Fred Bell advised that it varies, it's open up to the entire department and the officers are on a first come, first served. I believe they are pretty much scheduled for four-hour shifts trying to spread it out. Mayor Pro Tem Carol Lynn Sanchez requested a motion. Commissioner Rene Villafranco moved to approve. Mayor

Benjamin Gomez seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, and Commissioner Rene Villafranco. Motion carried to APPROVE RESOLUTION NUMBER 20200012, A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPROVE THE APPLICATION AND ACCEPTANCE OF ANY OPERATION STONEGARDEN (OPSG) GRANT NUMBER 3186805 THAT THE OFFICE OF THE GOVERNOR ISSUES FOR THE PERIOD OF PERFORMANCE OF APRIL 1, 2020 AND ENDING FEBRUARY 28, 2021 (CAMERON20190PSG).

ITEM 15. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE UPDATED LAW ENFORCEMENT APPLICATION FOR PARTICIPATION BETWEEN THE SAN BENITO POLICE DEPARTMENT AND STATE PLAN OF OPERATION STATE OF TEXAS AGREEMENT.

Assistant City Manager and Interim Chief of Police, Fred Bell addressed the City Commission advising the San Benito Police Department has an on-going partnership with the state Plan of Operation of the State of Texas Agreement which provides the Police Department access to additional equipment and resources. In your packets is the State Plan of Operation Agreement between the State of Texas and the San Benito Police Department. This agreement does require annual agreement of the City Commission in order to keep the City and department in compliance. Mayor Pro Tem Carol Lynn Sanchez requested a motion. Mayor Benjamin Gomez moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, and Commissioner Rene Villafranco. Motion carried to APPROVE THE UPDATED LAW ENFORCEMENT APPLICATION FOR PARTICIPATION BETWEEN THE SAN BENITO POLICE DEPARTMENT AND STATE PLAN OF OPERATION STATE OF TEXAS AGREEMENT.

ITEM 16. CONSIDERATION AND POSSIBLE ACTION TO EXTEND THE PREVIOUSLY APPROVED EXHIBIT LOAN AGREEMENT FOR EXHIBITION PREOCCUPATIONS BY PAUL VALADEZ UP TO OCTOBER 16, 2020 AT THE SAN BENITO CULTURAL HERITAGE MUSEUM.

Luis Contreras, Cultural Arts Director addressed the City Commission by identifying himself and stating this item is in effort to maintain the quality of exhibitions and program as we continue to maintain a calendar of events at the San Benito Cultural Heritage Museum. The original exhibit loan agreement with Mr. Valadez was approved on June 2nd. We are simply requesting an extension to October 16th to maintain that calendar. Mayor Pro Tem Carol Lynn Sanchez requested a motion. Commissioner Rene Villafranco moved to approve. Mayor Benjamin Gomez seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, and Commissioner Rene Villafranco. Motion carried to EXTEND THE PREVIOUSLY APPROVED EXHIBIT LOAN AGREEMENT FOR EXHIBITION PREOCCUPATIONS BY PAUL VALADEZ UP TO OCTOBER 16, 2020 AT THE SAN BENITO CULTURAL HERITAGE MUSEUM.

ITEM 17. ADJOURNMENT.

Mayor Pro Tem Carol Lynn Sanchez requested a motion to adjourn. Commissioner Rene Villafranco moved to approve. Mayor Benjamin Gomez seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, and Commissioner Rene Villafranco. Motion carried to ADJOURN AT 5:51 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