



MINUTES OF THE CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING

On January 5, 2021 the City Commission met for a Regular Meeting at the San Benito Municipal Building, Cesar Gonzalez Meeting Hall, 401 North Sam Houston Boulevard, San Benito, Texas.

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

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

ITEM 1. WELCOME.

Mayor Ricardo Guerra called the meeting to order at 5:31 p.m. confirming a quorum.

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

Commissioner Pedro A. Galvan led the City Commission and audience in reciting the pledge of allegiance to the U.S. Flag and to the Texas Flag.

ITEM 3: INVOCATION.

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

ITEM 4. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.

Mayor Ricardo Guerra asked if any of the City Commissioners had any wish to advise the community of any announcements. **Commissioner Pedro A. Galvan** addressed the audience wishing to remind everybody that we are in a pandemic and there is a vaccine currently available, there is different entities that are administrating the vaccine. I can vet that the vaccine is effective and safe, there was thirty thousand participants in the clinical trials. The side effects are similar to a flu shot, more so like the Shingles vaccine, maybe fever, chills, body aches, most commonly I've just been seeing a sore arm. It's relatively safe and effective, 94% effective. So I'm just reminding everybody that there is a vaccine, there is a way out of this pandemic, and that is an opportunity you have to take. Please take the opportunity to find the vaccine and register for one, there's a lot of opportunities currently going on with different entities. Thank you. **Commissioner Rene Garcia** questioned in reference to the vaccine, do you know of any locations. Are there going to be certain sites administering the vaccine other than a medical clinic. **Commissioner Pedro A. Galvan** advised currently the livestock grounds are hosting a site, those sites had about a thousand participants, they were lining up by six p.m. the night before. They were pretty packed and overwhelmed, if you were able to get one, you're lucky, there are other retail pharmacies, local independent and retail chains that do have the vaccine, you just have to call and ask, or I would suggest going to their websites, because these pharmacies are overwhelmed with phone calls. So please try to reference their websites, a lot of retail chains, CVS, Walgreens, Walmart, they have, some independent pharmacies such as Medicine Shoppe, and Muniz Pharmacy are looking to acquire the vaccine. You can go on to The Texas Department of Health and they will actually have a resource link for you to find where these vaccines have been allocated. Texas Department of Health will have a link where these vaccines can be found. **Mayor Ricardo Guerra** questioned what's the youngest age that they can obtain the vaccine? **Commissioner Pedro A. Galvan** confirmed currently the Pfizer vaccine is approved for sixteen years of age and older, and the Moderna vaccine is approved for eighteen years of age and older, they are looking to expand that but currently that's the FDA approval or the Emergency Use Authorization. **Mayor Ricardo Guerra** stated no other announcements due to ongoing pandemic.

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

Ruth McGinnis, City Secretary, announced Ms. Lynn Paré, a citizen of San Benito, who addressed the City Commission welcoming the new Mayor and Commissioners re-elected. We're all citizens of San Benito, this is about coming together, teamwork, unity, the past is in the past. The future is bright. I also wanted to say the disappointment I had in the City tonight and how they handled the swearing in ceremony. We have a website that the City pays for with citizen's taxpayer money, we have a Facebook page, I should say the City has a Facebook page, and nothing was mentioned about the swearing in ceremony, what the procedures were going to be, that citizens were going to be turned away, I counted over fifty citizens who wanted to be in here tonight that were turned away. I understand that there's COVID going on, and everything like that, but we need to make some adjustments. We really need to use livestream in special meetings not just regular meetings, so that everybody can watch. Doesn't mean that everyone needs to be here but at least if it's on the website we can see that. I just want to wish you all the best of luck and to stay healthy, and unified together because San Benito, the sky's the limit for us. We've got some great people up there and some great people behind me. We've got a lot of people out there that are looking and saying let's turn the page, let's start fresh, let's have unity and teamwork. Thank you. **Mayor Ricardo Guerra** thanks Ms. Paré for her comment.

Ruth McGinnis, City Secretary announced no further public comments.

ITEM 6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE DECEMBER 1, 2020 REGULAR CITY COMMISSION MEETING AND THE DECEMBER 15, 2020 REGULAR CITY COMMISSION MEETING.

Mayor Ricardo Guerra requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Pedro A. Galvan** seconded the motion. Abstained: **Mayor Ricardo Guerra** due to not voted in at that time. Voting Aye: **Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan.** Motion carried to **APPROVE THE MINUTES OF THE DECEMBER 1, 2020 REGULAR CITY COMMISSION MEETING AND THE DECEMBER 15, 2020 REGULAR CITY COMMISSION MEETING.**

ITEM 7. CONSIDERATION AND POSSIBLE ACTION TO APPOINT A MAYOR PRO TEMPORE.

City Manager, Manuel De La Rosa addressed the City Commission advising the opportunity for the City Commission to appoint a Mayor Pro Tempore should they desire to take that action which is why it's on the agenda for you. **Mayor Ricardo Guerra** asked if there were any comments from the City Commission. **Commissioner Pedro A. Galvan** questioned to appoint a Mayor Pro Tem is it at the first General Election or can it be made in any Election or is this the final opportunity to elect a new Mayor Pro Tem? **City Attorney Mark Sossi** advised the City Charter simply says that the City Commission appoints a Mayor Pro Tem, it doesn't provide a time period so the way I read that, it can do it at any time it chooses. **Commissioner Rene Garcia** moved to reappoint Ms. Carol Lynn Sanchez as Mayor Pro Tempore. **Commissioner Rene Villafranco** seconded the motion. Voting Aye: **Mayor Ricardo Guerra, Commissioner Rene Garcia, Commissioner Rene Villafranco, and Commissioner Pedro A. Galvan.** Motion carried to **APPOINT MS. CAROL LYNN SANCHEZ AS MAYOR PRO TEMPORE.**

ITEM 8. CONSIDERATION AND POSSIBLE ACTION ON THE SECOND AMENDMENT TO THE VARCO PERFORMANCE AGREEMENT WITH THE SAN BENITO EDC.

Ms. Rebeca Castillo, Executive Director of the San Benito EDC, addressed the City Commission referring to the Second Amendment to the VARCO Performance Agreement, between VARCO and the San Benito EDC. We came a few months ago for the First Amendment, this is the Second Amendment addressing moving dates due to the COVID-19 situation. The amendment you see in front of you, reflects a twelve month adjustment for Phase Three and twelve months adjustment for Phase Four. With this, what it will create, the request is to change the start date of Phase Three to December 2021 or sooner if possible. Phase Four, the last phase of the project, to start on December 2022. Therefore, completing the full project by December 2023. It doesn't change at all the commitment, the scope of the project, it just changing the timeline due to the situation of COVID-19. The Investor Developer has been impacted by the situation, the same as many others, communities and businesses. **Mayor Ricardo Guerra** requested clarification

noticing that only Ms. Castillo signed the document. Since you're not the only who has read this, you're not the only one that is preparing it, or presented it. You have a Board President, I believe you have an Attorney also, also ourselves, I see that the City Manager's name is here. I would like that anybody who is going to be here that they see it, we sign our names on it to say that we saw it and approved it. Also as I saw on the agreement, on page two of five, it only has the San Benito Economic Development and it's got names and lines on there and also from VARCO, nobody's on it, nobody has filled out their names or their titles. I would like that to be more transparent but also to be held accountable. That way nobody's going to say I never saw it. [Mayor Pro Tem Carol Lynn Sanchez](#) clarified that we're going to sign it too because we're going to see it and approve it and so is every member of the EDC, so everyone will have to be on it. [City Attorney Mark Sossi](#) advised this is a contract between two entities, one is VARCO and one is the EDC, the City Commission doesn't want to be contractually bound to this. This is an obligation of the EDC. The City Commission's function, statutory function here is to approve expenditures of the EDC. The EDC decides what they're going to do and then the City approves or disapproves the expenditure or the contract. [Mayor Pro Tem Carol Lynn Sanchez](#) stated then you're then also giving ourselves liability against VARCO. [City Attorney Mark Sossi](#) advised exactly, so by adding yourself as a City Commission, or as an individual, to the contract, you're making yourself contractually responsible for the obligation which is something we don't want to do. [Mayor Pro Tem Carol Lynn Sanchez](#) stated if something were to go wrong, VARCO could come and personally see you and take everything you have. [Mayor Ricardo Guerra](#) commented so by having according to this preparation, Ms. Castillo and we have City Manager De La Rosa on here by doing that for them to sign their names on it. [City Manager, Manuel De La Rosa](#) addressed the City Commission stating Mayor Guerra I think you're stating where my name is on the Executive Summary which is not part of the agreement. The reason that I do not sign the summary is I have no authority over the Executive Director or the board. It is something that is done by that, if I sign it that means I'm approving, recommending, or something. [Mayor Pro Tem Carol Lynn Sanchez](#) stated yes and we're putting him and his title on that, you're not giving the City itself liability over the EDC. [City Attorney Mark Sossi](#) advised the actual agreement is on page two, the signature line is on page two of five, and it says the two parties that would sign be the San Benito EDC and VARCO Real Estate San Benito L.L.C. A representative for each entity would sign just on their capacity as a representative. So it's very clear that two parties to the agreement are San Benito EDC and VARCO. [Commissioner Rene Garcia](#) mentioned Ms. Castillo, can you explain why you're here today because the agreement is between VARCO and EDC. [Rebeca Castillo, Executive Director of San Benito EDC](#), replies correct. [Commissioner Rene Garcia](#) stated this is not a budget adjustment, this is not anything. [Ms. Rebeca Castillo](#), replies it's just to adjust the timeline for twelve months for Phase Three and twelve months for Phase Four. From the stand point I can understand the confusion as to the parties that are signing it because like Mayor Guerra mentioned, I'm signing it or. [Commissioner Rene Garcia](#) interrupts to ask who signed the original. [Ms. Rebeca Castillo](#) replies the original agreement has been executed between San Benito EDC and VARCO. This document we're asking for the final approval for the City Commission to approve the extension of the deadlines for Phase Three and Four. [Commissioner Rene Garcia](#) commented that is required because it's not a budget adjustment, it's not anything that has to do with the budget. [Ms. Rebeca Castillo](#) states right, but it's to, any contracts, the bylaws specify that any contracts that the EDC executes need final approval from the City Commission. [City Attorney Mark Sossi](#) advised I think it's appropriate that does not mean that the City is a signatory to the agreement. [Commissioner Rene Garcia](#) commented so then it does not require signature from the Commission, like I said the original contract was between EDC and VARCO, and they shall remain the same, so this item what is it doing here. [City Attorney Mark Sossi](#) advised Commissioner I think it's appropriate for modifications to the agreement that's been approved by the City Commission to come before the Commission. But that does not mean that the City should be signing on the document itself. So the function of the City Commission would be simply approve the extension and permit the EDC to extend the agreement. [Commissioner Rene Garcia](#) stated so Mr. De La Rosa, your signature is nowhere on this? [City Manager, Manuel De La Rosa](#) clarified that it is not. [Ms. Rebeca Castillo](#) clarified since the parties that are on the document on page two does not have a name of the EDC, I do want to clarify by the bylaws I'm not authorized to execute any contracts. This contract will be executed and signed by the Board President and a representative of VARCO. Just to make adjustment of the timeline, it doesn't change anything else on the Performance Agreement. [Mayor Ricardo Guerra](#) questioned on page one of five the date on the second line. [Rebeca Castillo](#) states 2021, it will be effective

today's date if you approve tonight. Mayor Ricardo Guerra states so the date that will go here is 01/05. Rebeca Castillo answered January 5, 2021. Mayor Ricardo Guerra requested a motion. Commissioner Rene Villafranco moved to approve. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye; Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco, and Commissioner Pedro A. Galvan. Motion carried to APPROVE THE SECOND AMENDMENT TO THE VARCO PERFORMANCE AGREEMENT WITH THE SAN BENITO EDC.

ITEM 9. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE FISCAL YEAR 2020-2021 ANNUAL SAN BENITO EDC BUDGET AMENDMENT NUMBER 1.

Ms. Rebeca Castillo, Executive Director of the San Benito EDC, addressed the City Commission to request approval on the First Amendment for the Fiscal Year 2020-2021 Annual San Benito EDC Budget. The purpose is to give you an opportunity to review the proposed budget amendment number one. That is now factoring, reflects an increase of \$28,376.00 for the hiring of a Part Time Grant Writer. This amount will be programmed into the budget from the fund balance which has a balance of \$2,700,000.00 currently. It won't have a negative impact, we have explored this option to start slowly to have a part time Grant Writer twenty hours a week at \$25.00 an hour. To be able to start setting up the mechanism in place to have a Grant Writer that seeks grants but also sets up the platform and mechanism to be able to also do Grant Management. We'll start steadily and gradually to grow this position to possibly a full time in the future. Also looking at collaborating with the City to do this position that will be able to assist the EDC and the City on any grant opportunities that may be available. So we can maximize our dollars. Also attached on your packet, you'll find the job description that was drafted for this position, and the adjustments factor in the salary for this position, and taxes, workers comp, applicable taxes that this position holds, requires. We are asking for your consideration to approve this budget amendment. Commissioner Pedro A. Galvan questioned bringing up the point about Mr. De La Rosa without the signature here, you did state that you wanted the Grant Writer to help the City but is the Grant Writer going to specifically be working for the EDC or working for the City. Ms. Rebeca Castillo stated yes, the Grant Writer will be an employee of the EDC. Commissioner Pedro A. Galvan questioned only for the EDC, and looking for grants to help the EDC or to help the City. Ms. Rebeca Castillo stated like I had mentioned in our board meeting, the aspect that we have as a Type B organization is that we're factoring in both the external opportunity of bringing economic opportunities to San Benito and also on the internal impact of quality of life, we're doing more than just recruiting a business, recruiting manufacturing company. We're also working internally on the quality of life, from Parks and Recreation improvements to parks, from a sidewalks and other infrastructure that might be necessary. There's opportunities that in some shape or form, they're always going to have an interlinkage to economic development. From that standpoint that's how we want to approach it, to be able to assist the City with seeking of grants and writing grants as well. Of course in a slow pace at the beginning, as we set up the mechanism and everything in place, but it will be a staff person of the EDC. Commissioner Pedro A. Galvan requested clarification on where the funding is coming from for this position. Ms. Rebeca Castillo clarified that we have a reserve of over \$2,700,000.00 that is not programmed in our budget. Our current budget that is proposed today is a little bit over \$1,300,000.00 that's bringing in those \$28,000.00 from the fund balance which is an amount of dollars that we have in reserve that haven't been programmed but we have them to be able to incentivize any new prospects, in this case for example the grant writer position we can put in monies and program into the budget. But also as we're looking into the next agenda item if we need to program additional dollars to help during COVID-19 or to also assist in business with the rent subsidy program if we have more demand on that aspect, we have a reserve that we're able to work from. Commissioner Pedro A. Galvan mentioned you're saying a \$2,700,000.00 unassigned funds that the EDC has general funds to pull to fill these initiatives. So all the money that the grant writer, let's say they do collect large amounts of money, will go specifically to the EDC. Because here without the signature of the City Manager, I see the City cannot pull your funds, it's going to be clearly for EDC. Ms. Rebeca Castillo clarified our thought process, as we seek a particular grant specific. From that standpoint, there's opportunity that we do have that reserve. So there's a particular grant that the City might need a local match, the EDC can assist with a local match of let's say \$20,000.00 to be able to draw in \$80,000.00. So we will collaborate and work together to be able to seek these opportunities but of course those are going to be addressed on a case by case basis, as these

opportunities arises. As we discussed with City Administration as to what opportunities we want to move forward with we'll be able to determine based on the guidelines that the grant calls for what is going to be required of the EDC and the City. When that comes into play, we'll get Letters of Support, Letters of Commitment, Collaboration Agreements of how we're going to handle that particular grant. **Commissioner Rene Villafranco** mentioned also keep in mind any monies that the EDC has available that aren't assigned, the City can work with them to help us with infrastructures, streets, and other things that we need. Any grant money that's there. **Ms. Rebeca Castillo** interjected we're trying to maximize those dollars. **Commissioner Rene Villafranco** states exactly, we can use that money. **Commissioner Rene Garcia** commented you have to realize and understand that, grants work, VARCO started with a grant, a \$1,000,000.00 grant that was obtained by EDC from the State Economic Development Agency. And that's how things happen, I think it's a good move. **Ms. Rebeca Castillo** interjected we'll be able to maximize that opportunity. **Commissioner Rene Garcia** commented I think so, and I think that's something that we can do also at the City level. **City Manager Manuel De La Rosa** states Commissioner, we already have an ongoing project Las Palmas Sidewalk Project which is partially funded through the San Benito EDC, it's also funded through Valley Metro, and is also funded through the City. So we already have a. **Commissioner Rene Garcia** interjects so let's expand it. **City Manager Manuel De La Rosa** stated it is the standard. So my signature not being on a document means absolutely nothing, Mayor and Commissioners, what it means is if I put a signature it means I've either seen it, read it or something, some of these items come in last minute. That doesn't mean that Rebeca and I don't speak, but she doesn't work for me directly, she doesn't have to fit my timeline to getting things done. Commissioner Garcia you've been on the EDC before, if it's gone through that vetting process, and I know in the year, a little over a year, that we've worked together between the Executive Director of the EDC, their legal counsel, when it makes it to us, they know what City Administration expectations, they know what our City Attorney expectations, and we've already had a working relationship with the prior City Commission. So therefore, I have trust in her that when she presents it, it's valid because it's been vetted by their Board of Directors. So it doesn't need my signature, at the end of the day, like Ms. Castillo's, it means nothing. **Commissioner Pedro A. Galvan** questioned what the legal considerations here for not signing the document. **City Manager Manuel De La Rosa** asked which document. **Commissioner Pedro A. Galvan** responded the agenda item we're talking about, the approval. **Ms. Rebeca Castillo** stated the Executive Summary, at the EDC we don't sign an Executive Summary, it's a formality. **Commissioner Pedro A. Galvan** commented I don't understand because earlier we were arguing about a signature so quite frankly I don't, are we concerned with the signature or not. I'm just confused. Why were we fighting about a signature? **City Attorney Mark Sossi** clarified Commissioner, I think the agenda itself is signed by the City Manager. I mean if he doesn't sign on an individual item, he has signed off on the agenda as a whole, I think its right at the front. There's a big difference between not signing a legal contract and not signing this particular item when he signed in a different location. **Commissioner Rene Garcia** commented that's just an agenda page isn't it, just an item. **City Manager Manuel De La Rosa** clarified what the City Attorney is stating is the original agenda that gets posted that is signed by an authorized person has my initials at the bottom, which means that every agenda item that is on here has been looked at and approved by me, and it has met certain requirements. Just like I had a conversation with the Mayor last week, when he was Mayor-Elect about posting an agenda item, I gave him advice and guidance before it gets on here. **Mayor Pro Tem Carol Lynn Sanchez** commented I'm super excited, this is something I've been wanting for a long time to get a Grant Writer, I mean that's part of the help that we have with South Park, we have VARCO, I mean that's just a little bit of what we can accomplish. So thank you for doing this. I hope good things come from it. **Mayor Ricardo Guerra** requested a motion. **Mayor Pro Tem Carol Lynn Sanchez** moved to approve. **Commissioner Rene Villafranco** seconded the motion. Voting Aye; **Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco, and Commissioner Pedro A. Galvan.** Motion carried to **APPROVE THE FISCAL YEAR 2020-2021 ANNUAL SAN BENITO EDC BUDGET AMENDMENT NUMBER 1.**

ITEM 10. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE FISCAL YEAR 2020-2021 SAN BENITO EDC SMALL BUSINESS INVESTMENT PROGRAM.

Ms. Rebeca Castillo, Executive Director of the San Benito EDC, addressed the City Commission referring to the Fiscal Year 2020-2021 San Benito EDC Small Business Investment Program. This used to be two

separate grants which was the Rent Subsidy Grant and the Façade Improvement Grant about two years ago, when we came in, we would just repackage it and call it and package it to a Small Business Investment Program that has two grants onto this program. And it meets the purposes of getting small businesses to, the purpose is in an effort to promote and create downtown pedestrian traffic and a diverse and vibrant downtown business district, the EDC is committed to the development of programs to assist business and job creation. This is how it started, focusing on the downtown area what we are asking on this request, in this revision of guidelines, is to expand this grant to citywide. Rather than just doing them for the downtown area, we do have a demand from businesses opening up on Frontage, on Business 77, and Oscar Williams, Stenger, Robertson, so we want to be able to create the opportunity, 509 as well, to be able to create the opportunity that more businesses are able to tap into this grant. It's not directly a program responding to COVID-19, but under the circumstances its allowing the businesses to stretch their dollars a little more. And we do have a demand and requests from businesses outside of the downtown district, this is not going to stop the funding and support of downtown businesses, but it's going to make it available for anyone that wants to come invest in San Benito citywide. The stipulations of the guidelines, everything that is highlighted in yellow is what changed, they're not so much drastic changes but since we are expanding to citywide there's a little more restrictions in terms of, for example, we're asking that the business must be a small scale business with a minimum of three employees during the application period and no more than 350 of gross sales a year. So we're trying to capture what the Small Business Administration considers a small business. So that way we don't have a mixture of a big chain business wanting to come in and tapping into this resources when they have more resources than a small business. The major request that we're asking is to expand it citywide, there's \$76,000.00 budgeted for the year, we haven't awarded anything since October and again, talking about that fund balance, that reserve, as the demand calls for it, and we see more demand of requests, we have that reserve to be able to program a few more thousand dollars this Fiscal Year to help our business community. Definitely we're moving forward with downtown development, we're hoping to make more connection with property owners, business owners, and we still see that a lot of the majority of this funds will go directly into supporting downtown, but we do want to create the opportunity for other businesses that are coming in and investing and trusting San Benito. It's an incentive, they have a choice to go to any other community but this incentive could help them out to make the decision to come to San Benito. **Commissioner Rene Garcia** commented I like your goals, and I was part of it to, and I want to point out that of course for many years, we've struggled with leakage, tax, your dollars leaving San Benito to Harlingen, Brownsville, wherever. So we need to concentrate and these goals are good into encouraging expanding business in San Benito, offering more opportunity and I think these go right along with keeping those dollars right in town. **Mayor Ricardo Guerra** requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Pedro A. Galvan** seconded the motion. Voting Aye; **Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco, and Commissioner Pedro A. Galvan.** Motion carried to **APPROVE THE FISCAL YEAR 2020-2021 SAN BENITO EDC SMALL BUSINESS INVESTMENT PROGRAM.**

ITEM 11. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO SIGN A CUSTOMER SERVICE AGREEMENT WITH UNIFIRST FOR EMPLOYEE UNIFORM RENTALS.

Ms. Yolanda Villafranca, Human Resources Director addressed the City Commission requesting consideration to authorize the Mayor to sign a Customer Service Agreement with Unifirst for employee uniform rentals. Unifirst is a Buy Board member and is offering the same rates as on the prior contract. If approved the contract would be for a term of three years at the same rates as paid in 2017. The City of San Benito provides uniforms for eight departments for a total of eighty-three employees. Each department has a line item for uniform expenses. Mr. Albert Moreno from Unifirst and I are available to answer any questions that you may have. In your packet, I've included a spreadsheet that shows each department line item, what their annual budget is, and what the proposed annual expense would be and the remaining balance, along with a letter confirming that Unifirst is a Buy Board Vendor, and the contract for Unifirst. **Commissioner Rene Villafranco** questioned if it was a budgeted item. **Ms. Yolanda Villafranca** confirmed that it is. **Commissioner Rene Villafranco** questioned if it was Buy Board too. **Ms. Yolanda Villafranca** confirmed that yes. **Commissioner Rene Villafranco** questioned if there was a cost difference. **Ms. Yolanda Villafranca** stated no sir, they're actually locking in the rates from 2017. **Commissioner Pedro A. Galvan**

states after the Buy Board page, that's what the City employee will get. [Ms. Yolanda Villafranca](#) stated that is what we pay for each department, for each employee. [Commissioner Pedro A. Galvan](#) commented for each employee, it costs \$234.00. [Ms. Yolanda Villafranca](#) advised \$3.40 a week per employee. There is a spreadsheet, it shows uniforms up at the upper left hand corner, and then it breaks it down by department, employees, and each account number. [Commissioner Pedro A. Galvan](#) questioned when stuff goes to the Buy Board is there different, when it gets brought here is there different bids. Was this the lowest bid? [Ms. Yolanda Villafranca](#) confirmed it is approved through Buy Board as one of the lower bids, so we avoid having to go through the RFQ or RFP process because it's already been approved as a certified vendor for Buy Board. [Commissioner Pedro A. Galvan](#) questioned if it was put up for bid. [Ms. Yolanda Villafranca](#) clarified no, we the City did not. [Commissioner Pedro A. Galvan](#) stated so it wasn't put up for bid, you guys just, because it was approved the same price on Buy Board we just went with it. [Ms. Yolanda Villafranca](#) clarified because they're a Buy Board member, we've used their services previously and most recently these past three years. [City Attorney Mark Sossi](#) advised Commissioner there's different procurement methods that a City can lawfully follow in order to purchase something. One of them is going out for bids, or request for proposals but another one to cut things short, to make things more expedient perhaps, the law allows the City to use a Buy Board. So if a vendor is registered with a Buy Board, the City can legally procure through that Buy Board vendor. It's an alternate procurement process. [Commissioner Pedro A. Galvan](#) commented that doesn't necessarily mean that it's the lowest bidder though, it just means easier means of acquiring services. [City Attorney Mark Sossi](#) advised it does not mean it's the lowest bidder, it means that the low price has been negotiated with the Buy Board, so it certainly is a reasonable price otherwise it wouldn't be on the Buy Board. But you're also dealing with things like expediency, not having to go out for bids, time that it takes to go through that process. So there's advantages and disadvantages to each procedure. [Commissioner Pedro A. Galvan](#) questioned if we lose employees, do these prices change or are they set for the amount of employees we have currently. [Ms. Yolanda Villafranca](#) commented this is assuming that every employee that's budgeted for would get a uniform so right now we're not fully staffed so it would be less than this. This is assuming that every employee we budgeted for in the budget. [Commissioner Pedro A. Galvan](#) questioned so the prices could change next year if, let's say our workforce our staff doubles in size for whatever reason. We would have to get this contract renewed. [Ms. Yolanda Villafranca](#) clarified they would lock in the rates, Mr. Moreno. [Mr. Albert Moreno Unifirst Representative](#) addressed the City Commission stating what happens is if you get uniforms and she decides to leave, she'll take her off the invoice and we're just paying for you, if you want for the rest of the Commissioners then we just charge for every one that is there. Whoever is wearing uniforms, you're going to get billed and that's what you pay for, if it grows of course your invoice goes up or if it goes down for whatever reason, that's what you pay. [Commissioner Pedro A. Galvan](#) confirmed so we're only getting billed what we're using. [Mayor Ricardo Guerra](#) requested a motion. [Mayor Pro Tem Carol Lynn Sanchez](#) moved to approve. [Commissioner Rene Garcia](#) seconded the motion. Voting Aye; [Mayor Ricardo Guerra](#), [Mayor Pro Tem Carol Lynn Sanchez](#), [Commissioner Rene Garcia](#), [Commissioner Rene Villafranco](#), and [Commissioner Pedro A. Galvan](#). Motion carried to **AUTHORIZE THE MAYOR TO SIGN A CUSTOMER SERVICE AGREEMENT WITH UNIFIRST FOR EMPLOYEE UNIFORM RENTALS.**

ITEM 12. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE THE REVISED APPLICATION FOR FEDERAL ASSISTANCE FOR THE 2020-2021 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING.

[Mr. Fred Bell, Assistant City Manager](#) addressed the City Commission advising that every year the City receives funds from HUD for the CDBG Program. In February of 2020, the City was notified that the award for Fiscal Year 2020-2021 was \$386,288.00. However in October of 2020, the City was notified that due to a calculation error the reward amount has been reduced to \$386,229.00, which is \$59.00 less than the original amount. In order to receive and allocate these funds, the City must submit a new application noting the revised amount this application must be signed by the Mayor. In your packets are the application reflecting the revised amount, the initial letter from HUD dated in February 2020 advising of the initial award, and the October 22, 2020 letter from HUD advising of the correction and revised amount. Staff recommends approval. [Mayor Ricardo Guerra](#) requested a motion. [Mayor Pro Tem Carol Lynn Sanchez](#) moved to approve. [Commissioner Rene Villafranco](#) seconded the motion. Voting Aye; [Mayor Ricardo Guerra](#), [Mayor Pro Tem Carol Lynn Sanchez](#), [Commissioner Rene Garcia](#), [Commissioner Rene](#)

Villafranco, and Commissioner Pedro A. Galvan. Motion carried to AUTHORIZE THE MAYOR TO EXECUTE THE REVISED APPLICATION FOR FEDERAL ASSISTANCE FOR THE 2020-2021 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING.

ITEM 13. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NUMBER 2020-0018 AMENDING AND APPROVING THE CITY OF SAN BENITO INVESTMENT POLICY; AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND HAS BEEN OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Ms. Belen Pena, Finance Director addressed the City Commission advising on December 15, 2020, presented the Public Investment Policy for the City of San Benito to do some of the revisions according to the Public Funds Investment Act. We went through some of the items that required changing, there were four items, the item was tabled for further review. On page two, there's a highlighted section where we added some wording, including Education and Investment Control, Security Risk, Tragedy Risk, Market Risk, Diversification of Investment Portfolio in compliance with the Act. On page three, we added that we include now Letters of Credit when we invest some of the City funds. Also on page three, we added that now we can now invest in the Credit Unions, like we mentioned the Credit Unions they're more stable and offer better rates. Also on page eleven, one of the brokers was removed but another one was added to the portfolio. Mayor Ricardo Guerra requested a motion. Mayor Pro Tem Carol Lynn Sanchez moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye; Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco, and Commissioner Pedro A. Galvan. Motion carried to APPROVE RESOLUTION NUMBER 2020-0018 AMENDING AND APPROVING THE CITY OF SAN BENITO INVESTMENT POLICY; AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND HAS BEEN OPEN TO THE PUBLIC AS REQUIRED BY LAW.

ITEM 14. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SERVICE AGREEMENT WITH UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON FOR CONTINUED HEALTH AWARENESS COMMUNITY ACTIVITIES FOR FISCAL YEAR 2021.

Mr. Ramon Rodriguez, Parks and Recreation Director addressed the City Commission advising that our partnership with UT Health Science Center Houston gives us the opportunity to offer wellness programs to the residents of San Benito. Ms. Letty Gomez has been at the helm of the program for the past seven years, and has done an excellent job of keeping participants active through Yoga, Zumba, Pilates, Cardio and other classes. This year everything went virtual but we are having a very loyal followers, on average we have four hundred participants per class on our online platforms. The grant awarded to us by UT covers the entire cost of the program. We recommend approval. Commissioner Rene Garcia commented I really didn't quite get that the participation right now is virtual, how are your numbers? Mr. Ramon Rodriguez stated about four hundred average per class. It's very good. Very healthy. Commissioner Rene Garcia commented on advertising it more. Mr. Ramon Rodriguez stated we are actively advertising through Facebook, and through our digital platforms the billboards that we have on the Resaca. So anybody that goes out there sees all the programs that we have. Commissioner Rene Villafranco mentioned the City Page. Mayor Ricardo Guerra requested a motion. Mayor Pro Tem Carol Lynn Sanchez moved to approve. Commissioner Pedro A. Galvan seconded the motion. Voting Aye; Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco, and Commissioner Pedro A. Galvan. Motion carried to APPROVE THE SERVICE AGREEMENT WITH UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON FOR CONTINUED HEALTH AWARENESS COMMUNITY ACTIVITIES FOR FISCAL YEAR 2021.

ITEM 15. ADJOURNMENT.

Mayor Ricardo Guerra requested a motion to adjourn. Commissioner Rene Villafranco moved to approve. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye; Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco, and Commissioner Pedro A. Galvan. Motion carried to ADJOURN AT 6:18 P.M.

CITY OF SAN BENITO

HONORABLE RICARDO GUERRA
MAYOR

ATTEST:

RUTH MCGINNIS
CITY SECRETARY