



MINUTES OF THE CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING

On February 18, 2020 the City Commission met for a Regular Meeting at the San Benito Municipal Building, Cesar Gonzalez Meeting Hall, 401 North Sam Houston Boulevard, San Benito, Texas at 5:30 p.m. A quorum was present including the following:

HONORABLE BENJAMIN GOMEZ, MAYOR, WAS THE PRESIDING OFFICER

CITY COMMISSION MEMBERS

Benjamin Gomez, Mayor
Carol Lynn Sanchez, Mayor Pro Tem
Antonio Gonzales, Commissioner, Place 1
Rene Villafranco, Commissioner, Place 2
Vacant, Commissioner, Place 3
Mark Sossi, City Attorney

ADMINISTRATIVE STAFF

Manuel De La Rosa, City Manager
Fred Bell, Assistant City Manager
Ruth McGinnis, City Secretary

ABSENT

Carol Lynn Sanchez, Mayor Pro Tem

ITEM 1. WELCOME.

[Mayor Benjamin Gomez](#) 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.

[Commissioner Rene Villafranco](#) led the City Commission and audience in reciting the Pledge of Allegiance to the United States Flag and to the Texas Flag.

ITEM 3. INVOCATION.

[Mrs. Martha McClain, Public Relations Director](#) led the City Commission and audience in prayer.

ITEM 4. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.

[Ruth McGinnis, City Secretary](#) announced items of community interest.

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 JANUARY 28, 2020 SPECIAL CITY COMMISSION MEETING AND THE FEBRUARY 4, 2020 REGULAR CITY COMMISSION MEETING.

[Mayor Benjamin Gomez](#), requested a motion to approve. [Commissioner Rene Villafranco](#) moved to approved. [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 JANUARY 28, 2020 SPECIAL CITY COMMISSION MEETING AND THE FEBRUARY 4, 2020 REGULAR CITY COMMISSION MEETING.**

ITEM 7. DISCUSSION AND/OR POSSIBLE ACTION APPROVING THE BID(S) RECEIVED ON THE FOLLOWING PROPERTY STRUCK OFF TO CAMERON COUNTY, FOR ITSELF AND OTHER TAXING JURISDICTIONS FROM A TAX RESALE CONDUCTED ON NOVEMBER 5, 2019.

LEGAL DESCRIPTION: LOT 15, BLOCK 3, NINTH ADDITION OF THE CITY OF SAN BENITO. PROPERTY ACCOUNT NUMBER: 57-0090-0030-0150-00

Attorney Monica Solis, Linebarger, Goggan, Blair, & Sampson addressed the City Commission advising packet provides detailed information on one vacant lot sold. By accepting the highest bid on the tax resale, property will be placed back on the Tax Roll and City will be able to clect ad valorem property taxes. 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 THE BID RECEIVED ON THE FOLLOWING PROPERTY STRUCK OFF TO CAMERON COUNTY, FOR ITSELF AND OTHER TAXING JURISDICTIONS FROM A TAX RESALE CONDUCTED ON NOVEMBER 5, 2019. PROPERTY LEGAL DESCRIPTION: LOT 15, BLOCK 3, NINTH ADDITION OF THE CITY OF SAN BENITO. PROPERTY ACCOUNT NUMBER: 57-0090-0030-0150-00.

ITEM 8. DISCUSSION AND POSSIBLE ACTION ON THE RESOLUTION NUMBER 2020-0004, APPROVING THE BID(S) RECEIVED ON THE TAX RESALE CONDUCTED ON NOVEMBER 5, 2019 FOR THE ABOVE MENTIONED PROPERTY.

Attorney Monica Solis, Linebarger, Goggan, Blair, & Sampson addressed the City Commission requesting approval of resolution in relation to agenda item number seven, bid received on the tax resale conducted on November 5, 2019. 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 2020-0004, APPROVING THE BID(S) RECEIVED ON THE TAX RESALE CONDUCTED ON NOVEMBER 5, 2019 FOR THE ABOVE MENTIONED PROPERTY.

ITEM 9. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NUMBER 2020-0003 OF THE CITY OF SAN BENITO, TEXAS EXPRESSING SUPPORT (A) FOR THE APPLICATION OF PALMVILLE ESTATES, L.P., TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE 2020 COMPETITIVE NINE-PERCENT HOUSING TAX CREDITS; (B) RECOGNITION OF A COMMITMENT OF FUNDING ASSISTANCE TO THE PROJECT; AND (C) AUTHORIZING SUCH OTHER ACTIONS NECESSARY OR CONVENIENT TO CARRY OUT THIS RESOLUTION.

Bernard Rodriguez, Planning and Zoning Director, and Ms. Yvette Nieto, Executive Director, San Benito Housing Authority, addressed the City Commission requesting approval of resolution needed for the San Benito Housing Authority application of Palmville Estates, L.P. to the Texas Department of Housing and Community Affairs. Mayor Benjamin Gomez requested a motion. Commissioner Antonio Gonzales moved to approved. Commissioner Rene Villafranco seconded the motion. Voting Aye: Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco. Motion carried to APPROVE RESOLUTION NUMBER 2020-0003 OF THE CITY OF SAN BENITO, TEXAS EXPRESSING SUPPORT (A) FOR THE APPLICATION OF PALMVILLE ESTATES, L.P., TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE 2020 COMPETITIVE NINE-PERCENT HOUSING TAX CREDITS; (B) RECOGNITION OF A COMMITMENT OF FUNDING ASSISTANCE TO THE PROJECT; AND (C) AUTHORIZING SUCH OTHER ACTIONS NECESSARY OR CONVENIENT TO CARRY OUT THIS RESOLUTION.

ITEM 10. CONSIDERATION AND POSSIBLE ACTION TO SELECT A MUSIC PRODUCTION COMPANY TO PROVIDE SERVICES AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT FOR THE 2020 HOG WADDLE COUNTRY CONCERT AND COOK-OFF.

Luis Contreras, Cultural Arts Director, addressed the City Commission requesting approval of Remaining Few Productions, LLC, to provide production services, stage, sound, lighting, professional backline, sound engineers, light technicians, and insurance coverage for services for the 2020 Hog Waddle Country Concert and Cook-Off. Mayor Benjamin Gomez requested a motion. Commissioner Antonio Gonzales moved to approved. Commissioner Rene Villafranco seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco.

Motion carried to APPROVE REMAINING FEW PRODUCTIONS, LLC AS THE MUSIC PRODUCTION COMPANY TO PROVIDE SERVICES AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT FOR THE 2020 HOG WADDLE COUNTRY CONCERT AND COOK-OFF.

ITEM 11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A LIVE PERFORMANCE AGREEMENT WITH MR. LEONARDO JIMENEZ, A.K.A. FLACO JIMENEZ, Y SU CONJUNTO FOR THE 2020 HOG WADDLE COUNTRY CONCERT AND COOK-OFF.

Luis Contreras, Cultural Arts Director, addressed the City Commission requesting approval of a performance agreement with Mr. Leonardo Jimenez aka Flaco Jimenez y Su Conjunto to secure a headlining musical performance at the 2020 Hog Waddle Country Concert and Cook-Off. Mayor Benjamin Gomez requested a motion to approve. Commissioner Rene Villafranco moved to approved. Commissioner Antonio Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco. Motion carried to APPROVE A LIVE PERFORMANCE AGREEMENT WITH MR. LEONARDO JIMENEZ, A.K.A. FLACO JIMENEZ, Y SU CONJUNTO FOR THE 2020 HOG WADDLE COUNTRY CONCERT AND COOK-OFF.

ITEM 12. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN BENITO AND THE TEXAS DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT THE PROVISIONS OF THE TEXAS TRANSPORTATION CODE CHAPTER 706, RELATED TO THE FAILURE TO APPEAR PROGRAM FOR MUNICIPAL COURTS.

Christina Sanchez, Municipal Court Administrator, addressed the City Commission requesting approval of Interlocal Agreement with Texas Department of Public Safety due to change in the Omnibase Fee, Senate Bill 346 (86th Legislature) amends said fee reducing from \$30.00 to \$10.00 and State no longer receives portion of the fee as assessed. The entire fee is retained by the municipality, and from the fee collected, \$6.00 is paid to Omnibase as a collection service fee. The contract automatically renews for up to three years. 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 AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN BENITO AND THE TEXAS DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT THE PROVISIONS OF THE TEXAS TRANSPORTATION CODE CHAPTER 706, RELATED TO THE FAILURE TO APPEAR PROGRAM FOR MUNICIPAL COURTS.

ITEM 13. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MEMORANDUM OF UNDERSTANDING FOR THE REGIONAL FIVE YEAR CONSOLIDATED AND STRATEGIC PLAN AS REQUIRED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), BETWEEN THE CITY OF SAN BENITO AND THE CITIES OF HARLINGEN AND BROWNSVILLE.

Elvira Cavazos, Community Development Block Grants Coordinator, addressed the City Commission requesting approval and advising purpose is to establish a general working agreement between the City of Brownsville, and City of Harlingen to consolidate efforts and resources in the establishment of a Regional Consolidated Plan and Strategy as required by the U.S. Department of Housing and Urban Development. 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 MEMORANDUM OF UNDERSTANDING FOR THE REGIONAL FIVE YEAR CONSOLIDATED AND STRATEGIC PLAN AS REQUIRED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), BETWEEN THE CITY OF SAN BENITO AND THE CITIES OF HARLINGEN AND BROWNSVILLE.

ITEM 14. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AMENDMENT BY THE CAMERON COUNTY ELECTIONS OFFICE TO THE EARLY VOTING AND ELECTION TIMES FOR THE CITY OF SAN BENITO GENERAL ELECTION.

Ruth McGinnis, City Secretary, addressed the City Commission presenting and requesting approval of amendment to the early voting and election times by the Cameron County Elections Administrator, to include twelve hours on the last two days of early voting. **Mayor Benjamin Gomez** requested a motion to approve. **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 AN AMENDMENT BY THE CAMERON COUNTY ELECTIONS OFFICE TO THE EARLY VOTING AND ELECTION TIMES FOR THE CITY OF SAN BENITO GENERAL ELECTION.**

ITEM 15. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PAYMENT TO JCS INDUSTRIES INC., PERTAINING TO THE PURCHASE OF A REPLACEMENT CHLORINE DIOXIDE GENERATOR AND REPLACEMENT PARTS FOR WATER PLANT NUMBER 2 IN THE AMOUNT OF \$26,000.00

Adan R. Gonzalez, Public Works Director, addressed the City Commission requesting approval to purchase a Replacement Chlorine Dioxide Generator and Replacement Parts for Water Plant Number 2. The generator is worn out and replacement parts are needed for Pre-Disinfection System. **Mayor Benjamin Gomez** requested a motion. **Commissioner Rene Villafranco** moved to approved. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco**. Motion carried to **APPROVE PAYMENT TO JCS INDUSTRIES INC., PERTAINING TO THE PURCHASE OF A REPLACEMENT CHLORINE DIOXIDE GENERATOR AND REPLACEMENT PARTS FOR WATER PLANT NUMBER 2 IN THE AMOUNT OF \$26,000.00.**

ITEM 16. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PAYMENT TO JCS INDUSTRIES, INC., PERTAINING TO THE PURCHASE OF A REPLACEMENT VOLUMETRIC CARBON FEEDER PUMP FOR WATER PLANT NUMBER 2 IN THE AMOUNT OF \$24,500.00.

Adan R. Gonzalez, Public Works Director, addressed the City Commission requesting approval purchase a replacement volumetric carbon feeder pump for Water Plant Number 2. The Volumetric Carbon Feeder Pump is worn out and replacement parts needed for Water Treatment System. **Mayor Benjamin Gomez** requested a motion. **Commissioner Rene Villafranco** moved to approved. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco**. Motion carried to **APPROVE PAYMENT TO JCS INDUSTRIES, INC., PERTAINING TO THE PURCHASE OF A REPLACEMENT VOLUMETRIC CARBON FEEDER PUMP FOR WATER PLANT NUMBER 2 IN THE AMOUNT OF \$24,500.00.**

ITEM 17. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PAYMENT TO PURCHASE CONSTRUCTION MATERIALS NEEDED FOR THE LASBY PARK ROAD REHABILITATION IN THE AMOUNT OF \$52,500.00.

Adan R. Gonzalez, Public Works Director, addressed the City Commission requesting approval of payment to purchase construction materials for Lasby park Road rehabilitation as previously approved by City Commission on December 27, 2018. **Mayor Benjamin Gomez** requested a motion. **Commissioner Antonio Gonzales** moved to approved. **Commissioner Rene Villafranco** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco**. Motion carried to **APPROVE PAYMENT TO PURCHASE CONSTRUCTION MATERIALS NEEDED FOR THE LASBY PARK ROAD REHABILITATION IN THE AMOUNT OF \$52,500.00.**

ITEM 18. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PAYMENT TO ALPHA INFRASTRUCTURE ENGINEERING, P.L.L.C., PERTAINING TO THE LIFT STATIONS S.S.O.I.

REHABILITATION: PHASE 1 INFRASTRUCTURE ASSESSMENT-TWDB PLANNING PHASE, TASK ORDER NUMBER 1, NOT TO EXCEED THE AMOUNT OF \$124,000.00.

Adan R. Gonzalez, Public Works Director, addressed the City Commission requesting approval of Task Order Number 1 relating to the Lift Stations S.S.O.I Rehabilitation. Mayor Benjamin Gomez requested a motion. Commissioner Antonio Gonzales moved to approved. Commissioner Rene Villafranco seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales, Commissioner Rene Villafranco and Commissioner Ricardo Guerra. Motion carried to APPROVE PAYMENT TO ALPHA INFRASTRUCTURE ENGINEERING, P.L.L.C., PERTAINING TO THE LIFT STATIONS S.S.O.I. REHABILITATION: PHASE 1 INFRASTRUCTURE ASSESSMENT-TWDB PLANNING PHASE, TASK ORDER NUMBER 1, NOT TO EXCEED THE AMOUNT OF \$124,000.00.

ITEM 19. PRESENTATION AND ACCEPTANCE OF THE CITY OF SAN BENITO INVESTMENT REPORTS FOR THE FIRST QUARTER ENDED DECEMBER 31, 2019.

Belen Pena, Finance Director, addressed the City Commission presenting the Investment Reports for the City of San Benito for the First Quarter ended December 31, 2019. Mayor Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approved. Commissioner Antonio Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco. Motion carried to APPROVE THE ACCEPTANCE OF THE CITY OF SAN BENITO INVESTMENT REPORTS FOR THE FIRST QUARTER ENDED DECEMBER 31, 2019.

ITEM 20. PRESENTATION OF THE CITY OF SAN BENITO FINANCIAL STATEMENTS FOR THE PERIOD ENDED DECEMBER 31, 2019..

Belen Pena, Finance Director, addressed the City Commission explaining and presenting the financial statements. No Motion carried PRESENTATION ONLY.

ITEM 21. EXECUTIVE SESSION:

- a) Deliberation or discussion pursuant to Texas Government Code §551.087(1), to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect, that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations, and pursuant to Texas Government Code §551.087(2), to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).
- b) Discussion pursuant to Texas Government Code §551.071(2), to receive confidential attorney client communications from the City Attorney protected by the attorney client communication privilege.

THE CITY COMMISSION CONVENED INTO EXECUTIVE SESSION AT 6:05 P.M. AND ADJOURNED AT 6:29 P.M.

GENERAL SESSION:

ITEM 22. POSSIBLE ACTION ON ECONOMIC DEVELOPMENT NEGOTIATIONS AS DISCUSSED IN EXECUTIVE SESSION.

Mayor Benjamin Gomez announced no motion carried, DISCUSSION ONLY FOR EXECUTIVE SESSION ITEMS 21 (A) AND 20 (B).

ITEM 23. 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 6:29 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