



**MINUTES
OF THE CITY OF SAN BENITO
REGULAR CITY COMMISSION MEETING**

On March 5, 2019 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
Ricardo Guerra - 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

**Mayor Pro Tem Carol Lynn Sanchez
Commissioner Antonio Gonzales
City Attorney Mark Sossi
City Manager Manuel De La Rosa**

ITEM 1. WELCOME.

Mayor Benjamin Gomez called the meeting to order. "The City Commission and I welcome you to this Regular City Commission Meeting. The time is 5:30 p.m. and we have a quorum."

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

Commissioner Ricardo Guerra led the City Commission and audience in reciting the Pledges of Allegiance to the United States flag and to the Texas flag.

ITEM 3. INVOCATION.

Mr. Lionel Betancourt led City Commission Members and audience in prayer.

ITEM 4. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.

Mayor Benjamin Gomez announced that Commissioner Antonio Gonzales is in the hospital for us to keep him in our prayers. **Commissioner Ricardo Guerra** announced all items of community interest on behalf of **Mayor Benjamin Gomez**, starting with March 6th, Coffee with

the San Benito Chamber from 8am to 9am at Law Office of Randall Crane, guest speaker: Mr. Jose Medrano, with CASA ; March 9th, All Day Celebration of Texas Independence at the San Benito Fairgrounds, from 8am to 5:30pm. Parking \$5 per vehicle. Entry is free ; April 27th, Trash Bash & Free Tire Recycling from 8am to 12 Noon at San Benito City Service Center ; May 18th, Annual Hog Waddle Country Concert & Cook-Off from 4pm to 10pm at San Benito Fairgrounds.

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

Ruth McGinnis, City Secretary, announced **Mr. Ben Cortez, Citizen**, addressed the City Commission stating submitting a no confidence letter on Police Chief Michael Galvan, on November 7, 2018, Martha Moreno went missing, she called was stuck in a ditch. Family got frustrated when no action until three days later to start looking for her. December 17, 2018, the chase of Ricky Trevino case, he was chased and got stuck in a ditch and was shot several times when he had his hands up, two families lost a loved one. Chief Galvan did not follow policies and procedures of police manual. He is the one to set example and follow rules and regulations. May 2017 a no confidence letter was submitted by Police Union. City Manager has taken no action. He blames the City Manager for not taking any action to reprimand Chief Michael Galvan, allowing him to continue with violations of policies and procedures. The family suffers the loss of a loved one, it's more painful as it was wrongful death. These deaths should not have happened. Regarding the Moreno death he violated Chapter 4, 1 4, Missing Persons and Chapter 5.02 Air Support of the Police Manual. The Mayor waited ten days for air support. On Trevino there are too many violations to write. He did not commit a crime, he was speeding and was caught outside city limits. Meanwhile, the City had no police protection for the period of time the chase continued. No one can turn a blind eye for injustice. Unjustified shooting cover up covered by city manager and three commissioners, we ask that you reconsider the employment of Michael Galvan. I have signed petitions and turned them in.

Ruth McGinnis, City Secretary, announced **Ms. Lynn Pare, Citizen**, addressed the City Commission by thanking them for coming up with a solution with the San Benito Chamber and was pleased. She hope all can attend THICA. Eighty-eight days, that's how long it's been since Ricky Trevino was murdered. After his family called for help asking 911 to please send somebody. Recently there's been another murder in City of San Benito, witnesses are hesitant to come forward that are directly and indirectly involved in this case. The trust in the San Benito Police Department is dissolved to such a point people are not comfortable calling and asking for help from those who have sworn, an oath to protect. I will stop when we have answers. Many have asked me if I hate cops and no I do not hate cops. I hate bad cops and much dislike cover up and corruption and secrets. San Benito is at a crisis point right now and you up there represent us, we voted you in with confident that you will take care of our best interest as citizens, to protect us and serve us and to make us proud to be San Benito citizens. It's very difficult right now.

Ruth McGinnis, City Secretary, announced **Mr. Alfonso Benavides, Citizen**, addressed the City Commission about community chronological clarification of murder incidents committed by City of San Benito law enforcement towards Ricardo Trevino. Meanwhile, Navarro, member of municipal league, continues to make excuses for San Benito administration and its commission. The community deserves better than this. The identification of those officers in no way affects the investigation of Ricardo Trevino III murder. This is a sad situation for the community and we seek justice.

Ruth McGinnis, City Secretary, announced Mr. Lionel Betancourt, Citizen, addressed the City Commission on several items: a) Current governing of staff, very good and Manuel De La Rosa is responsible for that; b) Letter read at recent meeting and he was not able to attend regarding the Chamber, attaching names with comments should always be delivered ; c) Complaint on Chamber centered around dues not paid by who are afforded the services. He pays Utilities each month to receive water services; d) Commissioners and Mr. De La Rosa, you owe the Chamber an apology, and there are ladies and men who volunteer their services to make our community a better place. What has happened should not be tolerated.

Ruth McGinnis, City Secretary, announced Mrs. April Flores, Citizen, addressed the City Commission stating she is the mother of Ricardo Trevino III and she stands before you not to bash as leaders of our community which trust has been broken, I stand here before you that I continue to pray for you and your family, including the five officers that took my son's life that day. Where my son was brutally murdered. May your families never have to endure the pain that I will live with for the rest of my life. From having to randomly calling my son just to remind myself that he is no longer here. May you never, never have to endure that pain. May no other family here within the city have to endure a pain due to the lack of you all's leadership. For my sons blood is upon your hands for not taking when it was brought to you with any concerns that the community had for the failure of that my sons blood is also on your hands. I stand here with no resentment in my heart, thank God for that, but I continue to pray and will continue to pray for justice which has to be served not by the community, not by here on the ground, because I declare justice and Jesus will give it to us, and that's all I have to say.

ITEM 6. PRESENTATION OF A PROCLAMATION TO MRS. KRYSTAL CONTRERAS, FOURTH GRADE WRITING TEACHER AT DR. CASH ELEMENTARY SCHOOL WITH THE SAN BENITO CONSOLIDATED INDEPENDENTE SCHOOL DISTRICT.

Mayor Benjamin Gomez announced City Commission presenting Mrs. Contreras a proclamation and each city commission member present read from the proclamation and took pictures. Mayor Benjamin Gomez congratulated Mrs. Contreras. No Motion carried **PRESENTATION OF PROCLAMATION ONLY.**

ITEM 7. CONSIDERATION AND POSSIBLE ACTION TO APPROVAL THE MINUTES OF THE REGULAR CITY COMMISSION MEETING OF DECEMBER 4, 2018.

Mayor Benjamin Gomez requested a motion. Commissioner Rene Villafranco, moved to approve. Commissioner Ricardo Guerra seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Rene Villafranco and Commissioner Ricardo Guerra. Motion carried to **APPROVE THE MINUTES OF THE REGULAR CITY COMMISSION MEETING OF DECEMBER 4, 2018.**

ITEM 8. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2019-0003, A RESOLUTION REQUESTING THE MEMBERS OF THE 8TH LEGISLATIVE SESSION OF TEXAS TO SUPPORT LEGISLATION THAT PROVIDES STEWARDSHIP, HEALTH AND WELL-BEING AND CONNECTIVITY FOR LOCAL AND STATE PARKS.

Art Garza, Parks & Recreation Director, addressed the City Commission requesting approval. Commissioner Rene Villafranco moved to approve. Commissioner Ricardo Guerra seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Rene Villafranco and Commissioner Ricardo Guerra. Motion carried to **APPROVE RESOLUTION 2019-0003, A RESOLUTION REQUESTING THE MEMBERS OF THE 8TH LEGISLATIVE**

SESSION OF TEXAS TO SUPPORT LEGISLATION THAT PROVIDES STEWARDSHIP, HEALTH AND WELL-BEING AND CONNECTIVITY FOR LOCAL AND STATE PARKS.

ITEM 9. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A REQUEST FROM THE SAN BENITO CONSOLIDATED INDEPENDENT SCHOOL DISTRICT FOR THEIR 12TH ANNUAL AUTISM AWARENESS EVENT TO BE HELD ON APRIL 5, 2019 AT THE HEAVIN TRAIL PARK.

Luis Gonzales, Jr., District Coordinator, Family and Community Engagement Department, SBCISD, addressed the City Commission requesting approval to use the Amphitheater and restrooms for the Autism Event. Commissioner Rene Villafranco moved to approve. Commissioner Ricardo Guerra seconded the motion. Mayor Benjamin Gomez motioned to abstain from voting as he works with Mr. Luis Gonzalez. Voting Aye; Commissioner Rene Villafranco and Commissioner Ricardo Guerra. Motion carried to **APPROVE REQUEST FROM THE SAN BENITO CONSOLIDATED INDEPENDENT SCHOOL DISTRICT FOR THEIR 12TH ANNUAL AUTISM AWARENESS EVENT TO BE HELD ON APRIL 5, 2019 AT THE HEAVIN TRAIL PARK.**

ITEM 10. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PAYMENT TO HOLT CAT FOR REPAIRS TO THE GENERATOR STATIONED AT WATER TREATMENT PLANT NUMBER 1 IN THE AMOUNT OF \$17,000.00

Assistant City Manager Fred Bell, addressed the City Commission requesting approval mentioning last year we had a freeze and lost power at Water Treatment Plant Number 1. During the freeze, City asked on an emergency basis, for Holt to deliver a generator which caused a high dollar amount due. In discussions, we came to a fair amount due for the use of the generator which was discussed with City Manager Manuel De La Rosa. Mayor Benjamin Gomez stated he recalled this invoice from \$31,000.00 to \$17,000.00. Commissioner Rene Villafranco moved to approve. Commissioner Ricardo Guerra seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Rene Villafranco and Commissioner Ricardo Guerra. Motion carried to **APPROVE PAYMENT TO HOLT CAT FOR REPAIRS TO THE GENERATOR STATIONED AT WATER TREATMENT PLANT NUMBER 1 IN THE AMOUNT OF \$17,000.00**

ITEM 11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT OF BOSWELL ELLIFF SUBDIVISION. BEING A 5.04 ACRE TRACT OF LAND COMPRISED OF LOT 1, BLOCK 1, HARLINGE AREA TEACHER'S CREDIT UNION SAN BENITO SUBDIVISION CONTAINING 2.34 ACRES, RECORDED IN CABINET I, SLOT 3039-A, MAP RECORDS OF CAMERON COUNTY, TEXAS AND A 2.70 ACRE TRACT CONVEYED AS A 2.71 ACRE TRACT OUT OF LOT 4, BLOCK 126, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, RECORDED IN VOLUME 21191, PAGE 20, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: ELLBOS,LLC.

Assistant City Manager Fred Bell, addressed the City Commission requesting approval advising Boswell is preparing for expansion on the empty lot behind the credit union. The city manager is overseeing this project and is working closely with Planning Department personnel. Planning and Zoning Commission reviewed and approved on January 24, 2019 and city manager recommends approval. Commissioner Rene Villafranco moved to approve. Commissioner Ricardo Guerra seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Rene Villafranco and Commissioner Ricardo Guerra. Motion

carried to APPROVE THE FINAL PLAT OF BOSWELL ELLIFF SUBDIVISION. BEING A 5.04 ACRE TRACT OF LAND COMPRISED OF LOT 1, BLOCK 1, HARLINGE AREA TEACHER'S CREDIT UNION SAN BENITO SUBDIVISION CONTAINING 2.34 ACRES, RECORDED IN CABINET I, SLOT 3039-A, MAP RECORDS OF CAMERON COUNTY, TEXAS AND A 2.70 ACRE TRACT CONVEYED AS A 2.71 ACRE TRACT OUT OF LOT 4, BLOCK 126, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, RECORDED IN VOLUME 21191, PAGE 20, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: ELLBOS,LLC.

ITEM 12. PRESENTATION OF THE CITY OF SAN BENITO FINANCIAL STATEMENTS FOR THE PERIOD ENDED JANUARY 31, 2019.

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

ITEM 13. ADJOURNMENT.

Mayor Benjamin Gomez moved to adjourn. **Commissioner Rene Villafranco** moved to approve. **Commissioner Ricardo Guerra** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Commissioner Rene Villafranco, and Commissioners Ricardo Guerra.** Motion carried to ADJOURN AT 6:07 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