



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

On May 21, 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**

ADMINISTRATIVE STAFF

**Mark Sossi - City Attorney
Manuel De La Rosa - City Manager
Fred Bell - Assistant City Manager
Ruth McGinnis - City Secretary**

ABSENT

Commissioner Rene Villafranco

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.

Pastor Jaime Loya, Senior Pastor at Cross Church led City Commission Members and audience in prayer.

ITEM 4. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.

Mayor Benjamin Gomez thanked everyone that joined us at the Hog Waddle and thanked all the all city staff for helping at the event. Free Pilate Classes every Tuesday and Thursday from 6pm to 7pm at the Heavin Memorial Park Amphitheater located at 705 North Bowie Street, for more information contact Letty Gomez at 956-357-4564 ; Monday, May 27, Memorial Day Silent March begins at 8:45am in front of City Hall to 485 North Sam Houston Boulevard, at 9am, the ceremony at Veteran's War Memorial 151 East Rowson Street, for more information contact Martha McClain at 956-361-3800 extension 301. Monday, May 27, Memorial Day the

City of San Benito will be closed and resume regular hours on Tuesday, May 28. Saturday, July 6, Resacafest from 4pm to 11pm at Heavin Memorial Park located at 705 North Bowie Street, for more information contact Luis Contreras at 956-361-3800, extension 418.

ITEM 5. RECOGNITION OF:

- a) Proclamation of Older Americans Month 2019 to Amigos Del Valle, Inc.
- b) Certificate of Appreciation to Mr. Martin Morales.
- c) Certificate of Appreciation to Mr. Raul Zuniga.
- d) Certificate of Appreciation to Mr. Pedro Salazar, Jr.
- e) Certificate of Appreciation to Dr. Enriqueta Ramos.
- f) Certificate of Appreciation to Mr. Salome Martinez.
- g) Certificate of Appreciation to Pastor Juan Loya and Mrs. Rosemary Loya.
- h) Certificate of Appreciation to Mr. Chuy Aguilera and Mrs. Rosanna Aguilera.

Mayor Benjamin Gomez announced Mayor Pro Tem Carol Lynn Sanchez reading the Proclamation for Older Americans Month 2019. Amigos Del Valle, Inc. was not present to receive the proclamation. Mayor Benjamin Gomez provided a plaque to Lieutenant Martin Morales who served the City for thirty-one years at the Police Department, he thanked Mr. Morales for his service. Provided a Certificate of Appreciation and plaque for Raul R. Zuniga, for thirty-five years of service to the Fire Department, Ms. Yolanda Villafranca accepted the award on his behalf. Next on the list is a Certificate of Appreciation for Mr. Pedro Salazar Jr., owner of El Gallito. Pete always steps up to the plate for fundraisers and stuff like that when people need help. He provides the food, the rice, the beans, service, everything. He is a wonderful guy and we need people like that in our community. We have a lot people in our community that gives back to our community. We need to continue that tradition of giving back to the community. Mr. Pete could not make it today, he had some award assembly with his kids. We will keep his certificate here but let's give him a round of applause. On this one, this lady is very special, she is Dr. Enriqueta Ramos, in recognition and appreciation for your ongoing volunteer service and countless professional hours of dedication to assist citizens of San Benito to better themselves by attending your educational programs that you teach at no cost at the City Public Library and other things as well, Ms. Enriqueta Ramos. The next certificate goes out to Mr. Salome Martinez III, for SM3 Bouncers, who also helps a lot with donating his time and bouncers to the school district and helping us with free stuff when we have our events for the community. His dad is here to accept his award. Salome, thank you. The next certificate goes to Pastor Jaime Loya and Ms. Rosemary Loya from the Cross Church. They have that *Judas House* and I know that every time I send someone over there in need for housing and stuff, you guys step up to the plate and help those families out. I really appreciate it and you guys do a lot of things for our community and I appreciate that. I hope that continues. I know I just met you guys not too long ago but every time I speak to you guys you guys are willing to help our community and that is what is all about. Thank you very much and God Bless you guys. The next Certificate of Appreciation goes to Mr. Jesus Aguilera and Ms. Rosanna Aguilera from Chuy's Custom Sports. These are other individuals that every time that we ask for something or I go ask for something for kids clothing, whatever, etc., they step up to the plate and are the first ones to say yes. I know me and Chuy do not see eye to eye in a lot of things but you know what, when it comes down to help the community, he is the first one that steps up to the plate and I really appreciate that. I am kind of sad that he is not here, but thank you very much and keep doing what you all do best, thank you. Next certificate actually goes to a group of individuals that I had the honor of meeting not too long ago either. They do countless trail rides and help a lot of cancer patients, especially kids. They also do toy drives,

they have helped me with toy drives and whatever you need they are there to help. You ask them and they step up to the plate too. We needed an air conditioner one time for a child that was very ill and within hours they had a brand new air conditioner for that child. These are the Guerra Brothers, Trail Riders Association, please come forward and get your certificate. Thank you everyone, I truly appreciate what you guys do for the community. They are special to my heart, volunteering is very special to me and I do know that we do have a lot more people and I think that if San Benito does not have anything else, we do have the best volunteers anywhere in the Valley for I have seen it all the time. And in numerous occasions, San Benito has stepped up to the plate to help its fellow neighbors and stuff. I am very proud to be from San Benito and say that I am proud to be from San Benito. I feel great and I know that we need to recognize more people and I appreciate our people and show them that they are appreciated so they can continue what they do. Thank you very much and I love you guys, God Bless You.

ITEM 6. PUBLIC COMMENTS. (Speakers/Remarks limited to three minutes. Public Comments limited to forty-five minutes).

Ruth McGinnis, City Secretary, announced Ms. Elvira Vicinaiz, Citizen, addressed the City Commission. Thank you so much for allowing me to come here before you and addressing my concerns. First of all, my main concern, I guess, is that I live on JM Ojeda Rd. Years back, my dad was the first settler there, in that little area where I live and it was nice enough for The City years ago to name our road as my dad's last name so I feel pretty honored. Also, the thing is, myself, I have lived there for 70 years, as a matter of fact, I was born right there and my daughter lives next door to me. I have three grandchildren that we sometimes walk along the street. The thing is, my concern is that we have made several emails to the police department and to The City about trying to see maybe they could put a sign or something to make these people who live in Mayfield Rd., that have to pass thru our road to get to highway 509 which is Paso Real. They really take off pretty fast and they have a straight road all the way from Mayfield Rd., and they have it. All paved, it looks like a little landing strip for them. They take off, once they leave Mayfield Rd., they take off at full speed and there are several cars that do that. We even tried ourselves to motion them to slow down and what not. The thing is, my daughter has tried several emails, numerous emails, back in 20 to The City and nothing was done. Again this year, emails were sent and till this day, nothing has been done about it trying to make those people to slow down or give us the speed limit sign and some street, what do you call those? Some street humps or street whatever that would helpfully make that traffic slow down especially when they pass right in front of our road. We live right on that road. It is a narrow road. But, you know, there are no curves to it or anything. But, you know, we are afraid, sometimes we are out there, my kids and my grandkids are there. I, in the evenings, walk my dogs down that road. Sometimes, especially, one little gray car really takes off and I have even motion to him to slow down. But the thing is, that they would not do it. And we would like for The City to try and see if they do something about that maybe putting the street hump or several humps to slow down the traffic especially in front of our houses. Also, another request, and I know that I do not have that much time, but another concern of mine, I've lived there all my life and I think back in 1995, 1996-97, I do not remember, I do not have the exact date, we were annexed into the city, we pay city taxes now, so we are city. That is our last street, Ojeda Rd., is right, the last street before going into the county or out of the city limits. The thing is, we got city water that was promised to us back then. I even had to make several calls to Austin, I believe, the Environmental Health, because we were not getting city water back then. But, soon after that we were given city water, they promised us that were would be getting sewer system, also, but to this date we have not had that. I have a lot of promises. Ruth McGinnis, City Secretary, announced the three minutes are up. Ms. Vicinaiz continued talking

about another request, my water hydrant needs some attention also. The water hydrant right in front of our house, please. Thank you so much. [Mayor Benjamin Gomez](#), I know this is just public comment, but who got those emails, do you know? Who responded to you on those emails and you have been sending them since 2018. Does anybody know up here or down there? [Audience member](#), the Chief, I sent them to the Police Chief, last year he said it wasn't in the budget for speed bumps. I even sent a video of the cars racing down but they didn't do anything and in this year nobody respond to me. [Mayor Pro Tem Carol Lynn Sanchez](#), on this speed bump, just because we have to do the process ourselves, you simply come in to City Hall and ask for a request. It is one simple little form. You put your information on it and then you get at least 80% of your neighbors to sign for it and you will submit into The City and then Planning and Zoning would vote on it to be able to do it and that is how it gets put in to the budget because I had to do it for my own street. So, the form has been sent it? [Audience member](#), we are the only two people that live down the street, so the other people on Mayfield pass by our house to get to their house but when they are passing by 509 they speed down, they gun it. [Mayor Pro Tem Carol Lynn Sanchez](#), so, it wasn't just emails, the request form has already been submitted? [Mayor Benjamin Gomez](#), ok, ma'am, we will look into, we apologize. Ruth, do we have anyone else for public comment? [Ruth McGinnis, City Secretary](#), announced [Remi Garza, Citizen](#), addressed the City Commission. Mayor and Commissioners to just briefly let you know, I am here to speak in favor of item number 15. I am also representing my brother who could not attend today and if you all have any questions, I will be more than happy to answer them on behalf of him as well as adjacent property owner, thank you. [Mayor Benjamin Gomez](#), do we have anyone else? [Ruth McGinnis, City Secretary](#), announced [Mr. Jack Ayoub](#). [Mayor Benjamin Gomez](#), he is the one that is going to be here at 6:30, so we will just stop and let him speak when he gets here. [Ruth McGinnis, City Secretary](#), announced no more public comments.

[Mayor Benjamin Gomez](#), announced moving to Agenda Item Number 19.

ITEM 7. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE SPECIAL CITY COMMISSION MEETING OF FEBRUARY 25, 2019 AND THE REGULAR CITY COMMISSION MEETING OF MARCH 5, 2019.

[Mayor Benjamin Gomez](#), requested a motion to approve the minutes of the February 25, 2019 Special City Commission Meeting and the March 5, 2019 Regular City Commission Meeting. [Mayor Pro Tem Carol Lynn Sanchez](#) moved to approve. [Commissioner Ricardo Guerra](#) seconded the motion. Voting Aye; [Mayor Benjamin Gomez](#), [Mayor Pro Tem Carol Lynn Sanchez](#), [Commissioner Antonio Gonzales](#), and [Commissioner Ricardo Guerra](#). Motion carried to [APPROVE THE MINUTES OF THE SPECIAL CITY COMMISSION MEETING OF FEBRUARY 25, 2019 AND THE REGULAR CITY COMMISSION MEETING OF MARCH 5, 2019.](#)

ITEM 8. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT WITH MUNDO AND ASSOCIATES, INC., FOR COMPLETION OF THE 2018 ANNUAL TAX INCREMENT REINVESTMENT ZONE REPORT.

[Belen Pena, Finance Director](#), addressed the city commission advising in their packet is the agreement with Mundo and Associates so they can work on the 2018 tax increment reinvestment zone report. The budget impact is \$4,000.00 and it will be coming out of torts budget. Do you have any questions on that agreement? [City Manager Manuel De La Rosa](#), addressed the Mayor and Commissioners, as you may recall, we did this earlier last year when we did multiple layers so rather than do that we want to make sure and get it every year. We

get ours done and we notify the county and they'll pay their portion and it stays in our account and whenever HEB makes the request, we have the funds to reimburse them. They have a certain matching amount but we have to do our report and we confirm it and then they pay accordingly. They matched the last one. After we did our audit and we notified the county and they submitted payment and then we reimbursed HEB accordingly. **Belen Pena, Finance Director**, advised right now we have about \$1.2 million, invested \$1 million for a one-year CD with a .256 rate. **Mayor Benjamin Gomez**, requested a motion. **Commissioner Ricardo Guerra** moved to approve. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Antonio Gonzales, and Commissioner Ricardo Guerra**. Motion carried to **APPROVE AN AGREEMENT WITH MUNDO AND ASSOCIATES, INC., FOR COMPLETION OF THE 2018 ANNUAL TAX INCREMENT REINVESTMENT ZONE REPORT.**

ITEM 9. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ENGAGEMENT LETTER WITH CASCOS & ASOCIATES, INC., FOR THE COMPLETION OF THE CITY OF SAN BENITO 2018-2019 COMPREHENSIVE ANNUAL FINANCIAL REPORT.

Belen Pena, Finance Director, addressed the city commission advising in their package, there is an engagement letter from Cascos & Associates. We just finished our third year of contract with them. We have the option to continue for two additional years, one year at a time. The budget impact is \$34,604.00 for the 2018-2019 Annual Financial Report which usually happens around February or March of the following year which will be in 2020. **Mayor Benjamin Gomez**, asked if we check with anybody else that can give us a better rate, or did we just go with them because we had them for three years. **Belen Pena**, no actually, if we go out for bids, it will be higher the amount. When I got the bids three years ago, this firm was the lowest. **Mayor Benjamin Gomez**, requested to see those bids from three years ago as he wasn't here three years ago. I want to know what it looks like. **Belen Pena**, yes, I can send you a copy of the rates for *Bordum, McCumber*, from Cascos, which back then was Patillo & Brown and also --- -- **Mayor Benjamin Gomez**, asked how big of a difference was it, do you recall. **Belen Pena**, it was about \$5,000.00 more. **Mayor Benjamin Gomez** asked the city commission if they want to see those numbers or do you just want to make a motion for Cascos. **Commissioner Ricardo Guerra** advised he would like to see those numbers. **Mayor Benjamin Gomez** asked the remaining city commission or if we just table it. **City Manager Manuel De La Rosa** advised, yes, let's just table it for the next meeting. **Belen Pena** confirmed. **City Manager Manuel De La Rosa** advised because we want to do this early enough Mayor because when you get a contract and you get certain number. I am a believer in changing audits, but he did for a number of years and then you change out. This is early enough if we have to request for proposals or actually it would be for request for publications, I think, because of services. We'll table this and we will get you the numbers for the next meeting. **Mayor Benjamin Gomez** requested a motion to table. **Commissioner Ricardo Guerra** moved to table. **Mayor Pro Tem Carol Lynn Sanchez** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commission Antonio Gonzales, and Commissioner Ricardo Guerra**. Motion carried to **TABLE AN ENGAGEMENT LETTER WITH CASCOS & ASOCIATES, INC., FOR THE COMPLETION OF THE CITY OF SAN BENITO 2018-2019 COMPREHENSIVE ANNUAL FINANCIAL REPORT.**

Mayor Benjamin Gomez, announced and welcomed **Mr. Jack Ayoub** for a public comment. **Mr. Jack Ayoub**, addressed the city commission thanking them on behalf of Texas Heritage Independence Celebration Association. I want to thank The City for all your support for our Texas Independence Day Celebration that we had last March. I want to thank Mayor Gomez

who came out and gave the official welcoming to the public for our event and for all the Commissioners that showed up. I think I saw Mr. Guerra there when we were trying to get everything get started. Thanks to everybody here. I would like to thank the City Secretary for working with me and Martha McClain with the public relations and I would like to thank Mr. De La Rosa for his letters of support for the City and also for the Economic Development Council that we applied to for grants. When we apply for these grants, they always want to see letters of support with the City, with the Economic Development Council and with the school district. It is really nice to be able to show them that we do have wide support. Thanks again for making our event what it was. We really did not have the numbers like we planned. I mean, all this planning and everything that goes into this event. Unfortunately, this is an outside event so we are hostage to the weather and this day was hot. It was over 95 degrees, it was windy. But in spite of everything, I think we had about 1500 people show up. It was what it was. It was a good event but we were looking toward working with the city and hopefully next year, we will make it a bigger and better event. Our next event will be in September 21, mark it in your calendar, we are going to be having the 6th annual Indian Pow Wow. If you haven't seen one, you have to see it. It is really good, you hear the music, you see the Indians dancing. It is really something to see. It is educational and it is a great event. We are having it in San Benito and we want to have these events to continue in San Benito. So, thank you so very much, we could not have done it without you and thanks again for everything. [Mayor Benjamin Gomez](#), thank you. [Mr. Jack Ayoub](#), thank you so much. [Ruth McGinnis, City Secretary](#), announced no more public comments.

ITEM 10. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2019-0007, A RESOLUTION OF THE CITY OF SAN BENITO SUSPENDING THE JUNE 5, 2019 EFFECTIVE DATE OF AEP TEXAS INC.'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE CITIES SERVED BY AEP TEXAS AND AUTHORIZING INTERVENTION IN AEP TEXAS INC.'S REQUESTED RATE CHANGES PROCEEDINGS BEFORE THE COMMISSION; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

[City Manager Manuel De La Rosa](#), addressed the City Commission advising the purpose of the resolution is to suspend the statement of intent to change the rates proposed by AEP Texas. For that reason, we are recommending approval of the resolution. [Mayor Benjamin Gomez](#) excused himself unable to talk at the moment. [Mayor Pro Tem Carol Lynn Sanchez](#), requested a motions. [Commissioner Antonio Gonzales](#) asked if this happen every year. [City Manager Manuel De La Rosa](#) advised it seems like they go up every year wanting to raise our rates. Most of the cities right now are suspending the rate. We are the city of original jurisdiction which means that you have to formally take action to suspend it. This allows the law firm that is being recommended. We don't pay the law firm; they get paid approved thru the Public Utility Commission of Texas. We are a coalition of cities, everybody joins in so that is how but the suspension needs to be approved before June 15, 2019. That is why we are doing it now. It does not allow AEP to implement these changes until they work it out with the PUCT. This is the resolution that we recommend being approved, yes, Sir. Suspend the intent rate increase. [Mayor Pro Tem Carol Lynn Sanchez](#) requested a motion. [Commissioner Ricardo Guerra](#) moved to approve. [Commissioner Antonio Gonzales](#) seconded the motion. Voting Aye; [Mayor](#)

Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Antonio Gonzales, and Commissioner Ricardo Guerra. Motion carried to APPROVE RESOLUTION 2019-0007, A RESOLUTION OF THE CITY OF SAN BENITO SUSPENDING THE JUNE 5, 2019 EFFECTIVE DATE OF AEP TEXAS INC.'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE CITIES SERVED BY AEP TEXAS AND AUTHORIZING INTERVENTION IN AEP TEXAS INC.'S REQUESTED RATE CHANGES PROCEEDINGS BEFORE THE COMMISSION; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

ITEM 11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE RESEARCH, APPLIED TECHNOLOGY, EDUCATION, AND SERVICE, (RATES) D.B.A. RATES/RGV, FOR REPRESENTATIVE APPOINTMENT TO REGIONAL TASK FORCE, MOU #R-RGV-TF-2019-0007, TO PARTICIPATE IN THE STORMWATER TASK FORCE AND RELATED TEXAS COMMISSION ON ENVIRONMENTAL QUALITY REGULATIONS AND ASSOCIATED CONTRIBUTION PAYMENT OF \$11,446.00.

City Manager Manuel De La Rosa, addressed the City Commission this is an annual expense since we are part of the Stormwater Task Force and this is in partnership with the UTRGV program that works thru it. The \$11,466.00 are certainly cost efficient for us rather than us having to up on our own program. Most of the staff this week is in training in the stormwater at the Island. Most of the staff will be, for a couple of days, in this training. It complies with TCEQ requirements. That is what makes this a good program for us. We recommend that we continue staying in this memorandum of understanding. It is a good investment, \$11,446.00. Thank you.

Mayor Pro Tem Carol Lynn Sanchez requested a motion Commissioner Ricardo Guerra moved to approve. Commissioner Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Antonio Gonzales, and Commissioner Ricardo Guerra. Motion carried to APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE RESEARCH, APPLIED TECHNOLOGY, EDUCATION, AND SERVICE, (RATES) D.B.A. RATES/RGV, FOR REPRESENTATIVE APPOINTMENT TO REGIONAL TASK FORCE, MOU #R-RGV-TF-2019-0007, TO PARTICIPATE IN THE STORMWATER TASK FORCE AND RELATED TEXAS COMMISSION ON ENVIRONMENTAL QUALITY REGULATIONS AND ASSOCIATED CONTRIBUTION PAYMENT OF \$11,446.00.

ITEM 12. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2019-0008, A RESOLUTION OF THE CITY OF SAN BENITO, TEXAS, APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO REGIONAL TASK FORCE, AND AUTHORIZING REPRESENTATIVE(S) TO IMPLEMENT A MEMORANDUM OF AGREEMENT (MOA) WITH RESEARCH, APPLIED TECHNOLOGIES, EDUCATION AND SERVICE, INC. -RIO GRANDE VALLEY (RATES/RGV), AND AUTHORIZING TO MANAGE TASKS AUTHORIZED BY SAID MOA ON BEHALF OF THE CITY OF SAN BENITO. TASK FORCE IS FORMED TO RESPOND AND AID COMPLIANCE WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY PHASE II STORM WATER RULE.

City Manager Manuel De La Rosa addressed the City Commission advising again, staff recommends, this is part of the memorandum understanding that we need a primary and alternate. It is my recommendation that the representative by Director Bernard Rodriguez and the alternate be employee Cleo Longoria. Mayor Pro Tem Carol Lynn Sanchez, requested a motion. Commissioner Antonio Gonzales moved to approve. Commissioner Ricardo Guerra seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Antonio Gonzales, and Commissioner Ricardo Guerra. Motion carried to APPROVE RESOLUTION 2019-0008, A RESOLUTION OF THE CITY OF SAN BENITO, TEXAS, APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO REGIONAL TASK FORCE, AND AUTHORIZING REPRESENTATIVE(S) TO IMPLEMENT A MEMORANDUM OF AGREEMENT (MOA) WITH RESEARCH, APPLIED TECHNOLOGIES, EDUCATION AND SERVICE, INC. -RIO GRANDE VALLEY (RATES/RGV), AND AUTHORIZING TO MANAGE TASKS AUTHORIZED BY SAID MOA ON BEHALF OF THE CITY OF SAN BENITO. TASK FORCE IS FORMED TO RESPOND AND AID COMPLIANCE WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY PHASE II STORM WATER RULE.

ITEM 13. CONSIDER FIRST READING OF ORDINANCE NUMBER 2557, AN ORDINANCE REPEALING ORDINANCE NUMBER 2393 AND 2393-A OF THE CITY OF SAN BENITO, ADOPTING THE 2015 EDITION INTERNATIONAL CODES INCLUDING THE APPENDIX CHAPTERS BY THE INTERNATIONAL CODE COUNCIL, INC., TO INCLUDE: INTERNATIONAL BUILDING CODE, INTERNATIONAL CODE COUNCIL ELECTRICAL CODE, INTERNATIONAL CODE COUNCIL PERFORMANCE CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL NFPA LIFE SAFETY 101 CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL WILD LAND-URBAN INTERFACE CODE, INCLUDING THE APPENDIX CHAPTERS, AND ADOPTING THE 2017 EDITION OF THE NATIONAL ELECTRIC CODE (NFPA 70), INCLUDING THE APPENDIX CHAPTERS, REPEALING ALL CITY ORDINANCES IN CONFLICT HEREWITH AND ORDAINING OTHER MATTERS RELATING TO THE FOREGOING.

City Manager Manuel De La Rosa, addressed the City Commission stating, this is a topic that has been going on for the better part of two years now. We are currently utilizing the 2006 edition of the international code council and I cannot think of the electric code but it is in that time period because they are always off by a year or two. Recently, the ISO and Commissioner Guerra can speak about what he knows about the insurance service organization. The cities are fire rating more specifically commercial businesses or anybody that pays for fire insurance is regulated by these fire codes. If you do not comply with these codes, for example, we have several businesses that have come in recently like the AB Center, the Resaca Village, the Valero, the Dollar General Store, they all have been compliant with the 2015. Just so you know,

there is a 2018 and I spoke with Cleo Longoria and he just went to school last week for the international building official. When we look to proposed the 2018 because we had not seen it, we have compared, especially recently because of some of the developments. We compared the 2015 to the 2006 international fire code because of the access driveways and all that. The changes are so insignificant, I barely found anything that says, oh my God, this is going to stop us from moving forward. But it does again, when you subscribe to these associations, it is business on their end and they penalize you when you do not adopt the most recent codes. You are operating on codes that are too far back. Sometimes it is even hard to find them. These are the most current codes. A lot of it is also when you have dilapidated buildings. There was an existing building, we do not certain codes and if we did, they were referenced on the old one. I found old ordinances when we were looking at this trying to figure out, it is a hash work, if we missed any ordinances, we are repealing anything that we missed because it goes back so far and it did not make a lot of sense. That is why I had the City Attorney review this. This is the 2015 edition. It is not the most current but it is the most current that people are using that is out there in that industry. The homebuilders are after the commercial, they are not all changed to the 2018. The plans that have been coming in, everybody stamped 2015. We bought these books when they came out and as a matter of fact, I have a set in my office because I refer to them often. It is the staff recommendation that we adopt the 2015 and the 2017 national electric fire code (NFPA 70). NFPA is an acronym for National Fire Protection Association. Again, this is just the first reading. You'll have another opportunity to ask me more questions and if Commission Guerra has anything to add to it, you know, bracing forward, thank you. [Mayor Benjamin Gomez](#), stated, so we are adopting the 2015. [City Manager Manuel De La Rosa](#), confirmed and expressed that is the recommendation. [Mayor Benjamin Gomez](#), asked, four years old. [City Manager Manuel De La Rosa](#), well, the 2018. [Mayor Benjamin Gomez](#) stated, 2015, we are adopting the 2015. [City Manager Manuel De La Rosa](#), yes, Sir, it is. So, in about 2021 you should look at the 2018, you are always kind of two years back. [Mayor Benjamin Gomez](#), said, but that is not two years. [City Manager Manuel De La Rosa](#), said, no, no and again, I am not saying the 2018 for me to go yeah, let's do the 2018 because none of the plans, everybody that we are working with currently, all the houses that are coming in, driveway and all that stuff are using the 2015. We know that is what they are using because it is kind of ok, we are not going to pull any surprises. This is what we have right now, let's get used to it, and as people start transitioning from the 2015 to the 2018, then we will transition. We should not have waited till now 2019, to be repealing 2006. Right? It is too many years. We know we have been contacted by ISO, Mr. Bell has been working with them and I have had conversations with Commissioner Guerra, we've been looking at the fire hydrants, fire inspections, how these things work because we do not want to be penalized, unduly penalized more than we need to because we are compliant with a lot of these new codes. Mayor, you are right, we could be looking at this in 2020 for the 2018. We have not seen it, we are not used to it and our architect and engineers, especially the architects that are submitting plans, are not submitting on 2018, they are submitting on 2015. [Commissioner Ricardo Guerra](#), mentioned this would be good Mayor, because the thing is that on this ISO, what is our rating right now. Mayor Pro Tem and Commissioners, [Assistant City Manager Fred Bell](#), stated, for the record, I am pretty familiar with this, as the former director of planning and zoning, I did an assessment on the current codes that we had adopted. I got to check with many of our sister cities within The Valley, we were the only ones still at 2006. Some cities did not have any of the codes adopted, but most that did were either between 2012 and 2015. The standard is not to fall further than 2 versions behind. Each version comes out every three years. Moving to the 2015 is where most of the construction plans, I know that I personally reviewed and I know that Mr. Rodriguez was reviewing what was coming in was from 2015 standard. Mr. De La Rosa is

absolutely correct that changes are minimal and most of our developers are already building at those standards. The people that coming and are submitting the plans are already submitting 2015. Mayor, you are correct in 2020 we will have to look into considering changing it. How it affects our ISO scoring, currently, we are sitting at a 4, it could be better, it could be a lot worst. What would greatly assist the overall rating is by improving because a lot of the weight on that scoring is based on the version that the city has adopted. **Mayor Benjamin Gomez**, asked what is the lowest score. **Assistant City Manager Fred Bell**, said it's a one to ten, ten isn't good. **Mayor Benjamin Gomez** stated, we are not even half way there. **Assistant City Manager Fred Bell**, stated, no, and I am actually working with ISO because they have the one pertaining to the fire rating, they also have one pertaining to the building standards and the BCEGS. Right now, they are not directly connected to have an overall impact but we suspect that they probably are. They want to make sure that not only are we looking at our fire protection but they are also looking at our building standards. We suspect that in a matter of time, they are going to merge the two and when that happens, it is going to impact the overall rating of the community which affects the overall insurance ratings. We are confident by going ahead and getting into the game now that when we start looking at 2020-2021, we will be able to improve our scoring. The scoring that we have right now, is based on an assessment that was done in 2011. The standard assessment period is every 4 to 5 years which is part of the reason that I've been, you know, personally interacting and working with the ISO representatives because we weren't in agreement. **Mayor Benjamin Gomez** questioned if they have not scored us again. You say that it is every four years, they did it at 2011 so we were due at 2015. **Assistant City Manager Fred Bell**, advised should have been, yes, Sir. **Mayor Benjamin Gomez**, asked, and we didn't. **Assistant City Manager Fred Bell**, responded, no, sir. **City Manager Manuel De La Rosa**, stated, and that is the ISO, interest services, so, they reached out to us and basically it is a self-monitoring. That is when we realized, well, yeah, they were just looking at the building. When we said, you know what, we better look at the fire. We did greatly improved, it is still based also on the water capacity, our supply system. All of these things, when they come back and when they start looking at flows, capacity, all of those things, it is a score sheet. Before they come back out, we are trying to say, you know what, and we've told them. We've said, look, the last time you did this, we this but we are about to make certain changes because we wanted to make sure that they knew that we were letting them know since we are going to be compliant on. They said, ok, that is another section and we are going to get back to you. Interest organization came in 20 years ago, it removed the old State Farmers office that used to do the rating for fire insurance. Then it went national using the same standards, insurance organization out of New York. So, it is a big corporation that does this industry wide that way it is very consistent from state to state, community to community. It is a very rigid set of criteria. I think because we are so far down south, there is not a lot of activity. They don't really worry. Other areas, where there is a lot, because when they reached out to us, they said, hey, we need your report on this. That is when we said, yeah, let's get much more serious about it getting up to date. Commissioner Villafranco is not here, but his concern was what are the changes, how is it going to affect us? Which is what you would want to know. Which is why we were doing these comparisons. Where are we with everybody else? Remember, some parts of our county do not have decent water systems so they are not going to worry about fire codes. We do and those business that we have, especially the new ones coming in, they want to pay lower premiums, they want to make sure that they have better codes, better Fire Marshall Chief, that is why we are looking at Fire Marshall policies, how they do inspections, we are putting that together. You saw that we have a plumbing inspector, we sent Cleo to the Chief Building Inspectors school. We are really getting on top of that game to make sure that people are qualified and we'll get them the tools that they need along with the education so that they

are making judgement calls based on facts. **Commissioner Ricardo Guerra**, stated, Mr. Bell, I think that the lower the rates better the insurance that we have. **Assistant City Manager Fred Bell**, said, pardon, I am sorry. **Commissioner Ricardo Guerra**, said the lower the rate, the lower the insurance that we have? **Assistant City Manager Fred Bell**, advised, yes, the scoring directly affects when they are assessing the costs and the insurance companies are the driving force behind it. They want to make sure that we are requiring the safest infrastructure, building construction, water distribution. I have been personally working with the fire department and the water department to make sure that our fire hydrants are operational. Are we able to deliver the water? We had a fire earlier today that unfortunately, the house is no longer, it is uninhabitable. I do not the exact year on it but even if it were a newer home, we never know what is going to happen, but, we have a duty as a city to try and make sure that we require the safest standards possible. **Commissioner Guerra**, said it is going to be hard but we can do it. **Assistant City Manager Fred Bell** mentioned all things are possible. **Mayor Pro Tem Carol Lynn Sanchez** stated thank you. No Motion carried **PRESENTATION ONLY.**

ITEM 14. CONSIDERATION AND POSSIBLE ACTION TO APPROVE SECOND AND FINAL READING OF ORDINANCE NUMBER 2558 TO REZONE 501 WHALEN ROAD, THE CORNER OF WHALEN ROAD AND ALDEN STREET, ALSO BEARING A LEGAL DESCRIPTION OF ABST 16-S B L & W CO 110 X 110' BLOCK 149 PTSW, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, SAN BENITO, CAMERON COUNTY, TEXAS FROM SINGLE FAMILY ONE (SF-1) ZONE TO MULTI-FAMILY RESIDENTIAL (MF) ZONE. APPLICANT: MR. ARTURO MEDINA.

City Manager Manuel De La Rosa, addressed the City Commission stating this is the second reading, we already had public readings. We had the first reading and it is staff recommendation that this reading be approved. You know, Alden and Whalen, we do not really want to talk about those streets but I know that Commissioner Guerra and I certainly have. It fits with the development between the single family residences. I do not even know what directions, the north, and the expressway to the south. **Mayor Benjamin Gomez** asked if they want to make it into multi-family, do you know the condition of that road? **City Manager Manuel De La Rosa** confirmed and advised I imagine that they are going to use Alden and then get on to 509 and stay off of Whalen. **Mayor Pro Tem Carol Lynn Sanchez**, requested a motion. **Commissioner Ricardo Guerra** moved to approve. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Antonio Gonzales, and Commissioner Ricardo Guerra.** Motion carried to **APPROVE SECOND AND FINAL READING OF ORDINANCE NUMBER 2558 TO REZONE 501 WHALEN ROAD, THE CORNER OF WHALEN ROAD AND ALDEN STREET, ALSO BEARING A LEGAL DESCRIPTION OF ABST 16-S B L & W CO 110 X 110' BLOCK 149 PTSW, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, SAN BENITO, CAMERON COUNTY, TEXAS FROM SINGLE FAMILY ONE (SF-1) ZONE TO MULTI-FAMILY RESIDENTIAL (MF) ZONE. APPLICANT: MR. ARTURO MEDINA.**

ITEM 15. CONSIDERATION AND POSSIBLE ACTION TO APPROVE SECOND AND FINAL READING OF ORDINANCE NUMBER 2559 TO REZONE 400 WEST HIGHWAY 77, ALSO BEARING A LEGAL DESCRIPTION OF HINKLEY NORTH SHORE PARK SUBDIVISION, LOT 1 SAVE & EXCEPT 0.0297 BLOCK 8, SAN BENITO, CAMERON COUNTY, TEXAS FROM SINGLE FAMILY ONE (SF-1) ZONE TO COMMERCIAL RETAIL BUSINESS (C-2) ZONE. APPLICANT: MR. RAUL GARZA.

City Manager Manuel De La Rosa, addressed the City Commission advising, again, this is a recommendation that the staff supports. The property has been used as a commercial site for

decades as the Garza family has indicated, yes, I think sixty years. Certainly, we think it is compatible since it fronts 77. Thank you. Mayor Pro Tem Carol Lynn Sanchez requested a motion. Commissioner Ricardo Guerra moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Antonio Gonzales, and Commissioner Ricardo Guerra. Motion carried to APPROVE SECOND AND FINAL READING OF ORDINANCE NUMBER 2559 TO REZONE 400 WEST HIGHWAY 77, ALSO BEARING A LEGAL DESCRIPTION OF HINKLEY NORTH SHORE PARK SUBDIVISION, LOT 1 SAVE & EXCEPT 0.0297 BLOCK 8, SAN BENITO, CAMERON COUNTY, TEXAS FROM SINGLE FAMILY ONE (SF-1) ZONE TO COMMERCIAL RETAIL BUSINESS (C-2) ZONE. APPLICANT: MR. RAUL GARZA.

ITEM 16. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE CITY STAFF TO SUBMIT A COASTAL MANAGEMENT PROGRAM, GENERAL LAND OFFICE PHASE IV GRANT APPLICATION TO CONTINUE THE DEVELOPMENT OF THE SAN BENITO WETLANDS.

City Manager Manuel De La Rosa, addressed the City Commission stating the wetlands, we have already completed Phase III, there is a Phase IV. We are being informed by the general land office that there is additional funding, unknown yet but just to kind of give you the heads up. That the work is continuing to go on at the wetlands. It will be good for us. It is good to tourism type of activity. Again, just to continue moving forward with these grants. Obviously, if there are any agreements, you will be signing and considering improving those. We wanted to at least get your permission to continue moving forward with improvements of the wetlands. As you know, TCEQ implements goes into there so it helps us with being environmentally friendly, we can make that approach to TCEQ. Mayor Pro Tem Carol Lynn Sanchez, requested a motion. Commissioner Ricardo Guerra moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Antonio Gonzales, and Commissioner Ricardo Guerra. Motion carried to AUTHORIZE CITY STAFF TO SUBMIT A COASTAL MANAGEMENT PROGRAM, GENERAL LAND OFFICE PHASE IV GRANT APPLICATION TO CONTINUE THE DEVELOPMENT OF THE SAN BENITO WETLANDS.

ITEM 17. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE APPOINTMENT OR REMOVAL OF BOARD MEMBERS FROM THE PLANNING AND ZONING COMMISSION.

Planning and Zoning Commission Board Members		
Place on Board	Member Name	Term Expires
Place 1	Ms. Velma De Los Santos	June 1, 2017
Place 2	Mr. Encarnacion Lopez	June 1, 2017
Place 3	Dr. Enriqueta Ramos	June 1, 2018
Place 4	Mr. Salvador Castillo	June 1, 2017
Mayor	Mr. Abraham Villagran	June 1, 2018

City Manager Manuel De La Rosa, addressed the Commission. Advising he had a conversation with the Mayor Gomez, about who was on these boards, so, if you see that some of these are expired and are interested in replacing some of these. You know, May and June are coming around and you can do your appointments again. I know some of these folks, as a matter of fact, I know them all. It is up to you in at least to re-appointment, we will get their terms up to date. Mayor Pro Tem Carol Lynn Sanchez stated she thought to have already appointed Mr. Castillo when she came in. Mayor Benjamin Gomez, advised, you appointed on 17, I just

appointed Abraham. Are these terms just a year? **City Manager Manuel De La Rosa**, said, o, it is two years but you can replace them at any time as Commissioner Gonzales said. **Mayor Benjamin Gomez**, said, no, I understand that but I think that these expiration dates here are wrong. **Mayor Pro Tem Carol Lynn Sanchez**, stated, yeah, because this guy was on mine and then appointed him so it wasn't the same. **Mayor Benjamin Gomez**, said they are wrong. We need to look at all the boards and see the expire terms and when they were appointed. Because, I know for a fact that they are wrong. I have seen it in almost every board. We have wrong dates on there, we need to correct that. Yes, some are expired, they are wrong, they are wrong in almost every board. **City Manager Manuel De La Rosa**, advised, I'll look at the terms and if you want to re-appoint them or keep them **Mayor Benjamin Gomez**, well, mine is due so, I know it is wrong but I will go ahead and re-appoint Abraham Villagran back on there. We can start back again new or correct the dates here but I know those dates are wrong. **Commissioner Gonzales**, said, I appoint Velma De Los Santos again, Place 1. **City Manager Manuel De La Rosa**, said, ok, Place 2 is Villafranco. Commissioner you are going to appoint De Los Santos. **Mayor Benjamin Gomez**, advised to go thru the process. We have a motion, then a second and then we all vote. **City Manager Manuel De La Rosa** confirmed. **Mayor Benjamin Gomez**, so, you make a motion for Velma De Los Santos, do I have a second? **Mayor Pro Tem Carol Lynn Sanchez**, I'll second. **Mayor Benjamin Gomez**, seconded by **Mayor Pro Tem Carol Lynn Sanchez**, all in favor, aye. Velma stays in Place 1. Place 2 is who? **City Manager Manuel De La Rosa**, that's Rene's. **Mayor Benjamin Gomez**, Villafranco is not here. Place 3, I have a motion by **Commissioner Guerra**, do I have a second? **Mayor Pro Tem Carol Lynn Sanchez**, I'll second. Seconded by **Mayor Pro Tem Carol Lynn Sanchez**, all in favor, aye. Place 4, **Mayor Pro Tem Carol Lynn Sanchez**, motion to keep Salvador Castillo. Do I have a second? Seconded by **Commissioner Gonzales**, all in favor, aye. I make a motion to keep Abraham Villagran. Do I have a second? Seconded by **Commissioner Gonzales**, all in favor, aye. Motion carries to **APPROVE THE APPOINTMENT OR REMOVAL OF BOARD MEMBERS FROM THE PLANNING AND ZONING COMMISSION**. We have our new planning and zoning commission board. **City Manager Manuel De La Rosa**, did we do that for, **Mayor Pro Tem Carol Lynn Sanchez**, no, that is what I was telling **Commissioner Guerra**. **City Manager Manuel De La Rosa**, yes, we are going to bring it back. **Mayor Benjamin Gomez**, we are going to wait on that one. **City Manager Manuel De La Rosa**, we'll just bring it back for all at one time at the next meeting. Perfect. **Mayor Pro Tem Carol Lynn Sanchez**, I said, we are keeping ours.

ITEM 18. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE APPOINTMENT OR REMOVAL OF BOARD MEMBERS FROM THE ZONING BOARD OF ADJUSTMENTS.

Zoning Board of Adjustments Board Members		
Place on Board	Member Name	Term Expires
Place 1	Mr. Encarnacion Lopez	June 1, 2017
Place 2	Ms. Velma De Los Santos	June 1, 2017
Place 3	Mr. Noe Galvan	June 1, 2015
Place 4	Mr. Rene Garcia	June 1, 2015
Mayor	Mr. Juan Garcia	June 1, 2017

Mayor Benjamin Gomez, asked if any commission member wants to change anybody on your places here. **Commissioner Gonzales**, what number is that? **Mayor Benjamin Gomez**, eighteen. I do not know if anybody wants to make changes. I know that some people have been here for quite a while and they have never been changed or anything. The one I have, I

do not even know who he is and he lives in Harlingen. He cannot be a resident of Harlingen and be on this board. So, I am going to move him. Motion to move him and replace him with Maricela Gonzalez. Do I have a second? Second by Mayor Pro Tem Carol Lynn Sanchez. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Gonzales. Motion carried to APPROVE THE APPOINTMENT OF MARICELA GONZALEZ AND REMOVAL OF JUAN GARCIA BY MAYOR GOMEZ. R REMOVAL OF BOARD MEMBERS FROM THE ZONING BOARD OF ADJUSTMENTS.

Mayor Benjamin Gomez, were you an aye or do you abstain because I just heard two ayes. Commissioner Gonzales, I can say yes. Mayor Benjamin Gomez, yes, ok. We have Maricela Gonzalez, a new appointee for the board of adjustments on my place. Do I have anybody else that wants to change their. Commissioner Guerra, Mayor, let me ask you, what about, they have to reside in the City of San Benito? Mayor Benjamin Gomez, on this board, yes. City Manager Manuel De La Rosa, yes sir, they do. Mayor Benjamin Gomez, on this board, yes. Commissioner Guerra, can it be in the outskirts of San Benito. City Manager Manuel De La Rosa, no sir, the ordinance, only the Housing Authority appoints that only the Mayors can be in the county, all the other boards must be within the city limits. Commissioner Gonzales, one time, what stretch of miles did we do in that? Did it indicate? Did we approve that? I remember one time they were going to approve that, when they live on 800, they were going to put it on the board. City Manager Manuel De La Rosa, yes sir, not since I have been here, as a matter of fact, we lost Frank Garza when I came on board, not too long afterwards when he moved outside of the city limits. Commissioner Gonzales, out off the Resaca. City Manager Manuel De La Rosa, yes, off the Resaca. I do not know of any changes other than the current ordinance that says Mayor Benjamin Gomez, can we look at that ordinance and see if we did changes just to make sure for Mr. Gonzales. City Manager Manuel De La Rosa, yes. Mayor Benjamin Gomez, see what the ordinance says and check it out. City Manager Manuel De La Rosa, of course, we'll send it back out to you. As a matter of fact, I pulled the ordinance. I know which ordinance and I got it in my PDF. So, I'll forward it to you, it tells you how the appointees work. Mayor Benjamin Gomez, can we bring this back as an agenda item and he reviews what he wants and stuff when we bring it back, because right now I am the one that makes the change on mine. You do not want to make a change or you want to make a change? Commissioner Gonzales wants to make a change also on Place 1 but he does not have a person yet. We will bring it back. City Manager Manuel De La Rosa, of course, he certainly may. We will bring it back so everybody can be satisfied. If you noticed, some are already expired from 2015 that means that they continue to serve until their appointee. Mayor Benjamin Gomez, well, I reviewed some papers and these dates are not correct. They are not correct because people have been here like 9 years, 10 years so these dates cannot possibly be correct. We are just going by, ok, this is the way the process has been done but that is not the way it should be done. They should be appointed every 2-3 years. City Manager Manuel De La Rosa, 2 years? Mayor Benjamin Gomez, it depends on the board. We have not been doing it right, we have not been taking care of our board stuff the correct way, so I think that we need to put a lot of emphasis on all the other boards not just this certain board. We need to look at all the boards across the table and City Manager Manuel De La Rosa, it is correct that the appointments do not run with your office. You are elected for 3 years, your appointees are 2 so they get off and there is always. I see 2 in 2015 and three in 2017 just like the elections, so, I do not know how they got off. Mayor Benjamin Gomez, but the people I saw were different, we need to check it out. Commissioner Gonzales, any board member can be replaced. City Manager Manuel De La Rosa, the ordinance allows to replace them at any time for no cause. Mayor Benjamin Gomez, it's not mine, mine is Juan Garcia. That is Carol's. You keeping the name, she rhymes with Rene. We need to appoint him because his expired date

was 2015. **Commissioner Guerra**, I believe on mine, Mayor, Noe Galvan, I had already re-appointed him. **Mayor Benjamin Gomez**, you re-appointed him? **Commissioner Guerra**, yes, I did. **Mayor Benjamin Gomez**, ok, well, his term expires, is wrong here whoever can check on it. If Commissioner Guerra appointed him when he came in then that June 1, 2015 is wrong. **Commissioner Guerra**, let me ask you another question, do we have a limit as far as to how many boards these people can be in? **Mayor Benjamin Gomez**, I think there is no limit but we were discussing that earlier. **Commissioner Guerra**, yes because some of them have 4 or 5. I think that is a lot, I think if we are going to be there for San Benito, we need to count on people and other people to give. **Mayor Benjamin Gomez**, exactly. **Commissioner Guerra**, well, then we need to go up. **Mayor Benjamin Gomez**, a lot of people do not want to volunteer their time because this is all volunteer basis and a lot of people don't want to volunteer their time because they are either busy or cannot make that commitment. I am with you. We can most definitely use other or new people in there but if people don't want to volunteer and these are the only people that want to be in there and volunteer their time than we have to go with people that want to volunteer. We cannot be forcing people to do something they don't want. **Commissioner Gonzales**, yes, but Noe Galvan, I was talking to him and he said that they haven't had a meeting for them for this board for almost 8 months. They have not had a meeting for the board of adjustments. You know, that we make the decision and if they do not tell them what the decision is, they can change this board. Am I right? **City Manager Manuel De La Rosa**, that is correct. **Mayor Benjamin Gomez**, that is correct and not only that but it wasn't 8 months ago because I was here, I want to say, maybe 2 months ago and they were having a meeting here because I walked by. **Commissioner Gonzales**, that is what he told me. **Mayor Benjamin Gomez**, well, he said different because I was here. Commissioner Gonzales wants to change his but he is going to wait on a name. Commissioner Guerra is fine. Mayor Pro Tem is fine and I made a change to mine and it was approved. We will bring it back Commissioner, ok. We will find out on the distance.

ITEM 19. CONSIDERATION AND POSSIBLE ACTION ON A PRESENTATION OR PROPOSAL TO BE PROVIDED BY GREENSTAR PERTAINING TO A PROPOSED LED STREET LIGHT RETRO-FIT PROJECT.

Mayor Benjamin Gomez, this agenda item was requested by Commissioner Rick Guerra and Commissioner Antonio Gonzalez. **Jethro Gutierrez, Sales and Business Development Manager for GreenStar**, presenting this item. Jethro was not able to show up. **Mayor Benjamin Gomez**, ok, Mr. Olivarez? **Mr. Olivarez**, representing GreenStar. Just a quick overview. What I gave you right now is just to get you up to speed on what was going on. First of all, I want to thank you Commissioners for allowing me to present and again, I am here to address and answer the concerns that the Commission had in our last presentation pertaining to LED retro-fit. I am just going briefly, really quick, since everybody is already aware, one of the questions was why couldn't The City go direct. Well, now it is, as we mentioned it on the last meeting. Next, was, why didn't we come back when it was discussed. The reason due was to restructure ongoing to go direct. Another concern was; who will be maintaining the new fixture. We've been talking to AEP and you can see on the list, behind it, we had discussion with Dan Lucio, representative. It basically does say that him, answering in red, for example on two, what is the cost for AEP to install the light and remove old light. Again, he explains, our engineers will determine the actual cost for removal and installation of each light. However, the average cost will be paid about the same as the City of Harlingen LED Lighting Project. Therefore, he is saying right there that the City of Harlingen is already doing it. One thing that I wanted to be presenting to you guys was, I am from San Benito, I was born and raised here and the way I see the city moving in other cities, I want to bring it to this city. Basically, with discussions and

the other concerns that was brought up to by one of the Commissioners, it was the credit rating and effect of the bond. Again, on your last page or second to the last page, it shows where The City of San Benito has already been approved for this project. Therefore, it will not affect the bond. It will not affect your credit rating; it will not affect anything. You know, sometimes, my suggestion, and they suggested it to me, I understand, in our last conversation, you were concerned about drainages, you were concerned about lift stations. Well, this project pays for itself and working together with AEP, I know this project, not only will it build revenue as well as the other cities that are participating. There is a list that you can google that are already jumping on this, whether it is using the revenue of cost savings on this LED retro-fit project. For example, you know, you have smart cities Round Rock, you have Port La Vaca working in conjunction with AEP. They select the style of LED fixture. And, foremost, on the last email that Dan Lucio sent me on Monday, May 20th, he even said, he goes, "if there is something we need to purchase from a supplier that is not on our system, the supplier would basically need to send a copy of W9. Therefore, if there is a system, which we are presenting, the LED fixture, it is available for you all. Not only would AEP will be able to maintain it, service it, as Mr. De La Rosa mentioned in the last meeting. I really believe this project, I know you guys do too, you all have been to the plant, you have seen our product. The whole city of San Antonio is already using this light. CPS now, I want to bring this project to the City of San Benito. **Commissioner Guerra**, let me ask you, Mr. Olivarez, I know that there was one question that we had that AEP owns the street lights and the pole lights. Correct. And that we were advised that they would not allow anybody touch or service their pole lights. **Mr. Olivarez**, and that is correct. In the list, it says so, it is their pole and it is their light. As Mr. Lucio explained, as everything is worked thru resolutions where The City and AEP are in conjunction where in order for them to be able to service them, AEP would have to install. Like for example, the TX DOT highway lighting that is going on right now, no one is going to service it, you all are going to have to get somebody to service that because that is the agreement that TX DOT has on those highway street lights. But, for example here, since we work in conjunction with AEP, everything will be the same. Not only would you be saving money, but you will be building revenue for the city to get you those lift stations, to get you new jobs, to get you those speed bumps that the lady was saying. The Mayor was talking about giving back to The City, well, I am here to bring this, to give back to The City and not only that, build revenue so that way, it doesn't come out of anybody's pocket. **Mayor Benjamin Gomez**, right here, on number 2, it says, what is the cost per light for AEP to install LED light and to remove the old ones? And, you all came with number the last time. Right here, it says, our engineers, this is AEP? **Mr. Olivarez**, that's right. **Mayor Benjamin Gomez**, it says, our engineers will determine the actual cost for removal and installation of lights. **Mr. Olivarez**, correct. **Mayor Benjamin Gomez**, so, what then, the numbers you gave us for the lights were not true numbers because, now, AEP is saying that their engineers are going to determine the cost per light. **Mr. Olivarez**, it's not that it's not a true number. **Mayor Benjamin Gomez**, it's not a true number that you gave us the last time. **Mr. Olivarez**, because AEP was not involved. **Mayor Benjamin Gomez**, and as I recall, from the very, very first time that you all came, we pulled out the minutes, I know, one of the Commissioners asked for a workshop. **Mr. Olivarez**, yes, Sir. **Mayor Benjamin Gomez**, you all agreed to do a workshop. **Mr. Olivarez**, yes, Sir. **Mayor Benjamin Gomez**, we have not seen that workshop, we have not gone to tour the city to see what places or what parts of the city need this lights. **Mr. Olivarez**, I understand, Sir, and that is why I'd answer that question with, because we were during that time, there was a request to go direct, and that is when we had the discussion and we came to a restructure. Now, we are going direct and giving you all the better deal and thru resolution and thru the meetings and workshop. **Mayor Benjamin Gomez**, but you were giving us a deal without any AEP involvement. They are just answering your questions. Number 6, because of the large

amount of fixtures in the city, ok. **Mr. Olivarez**, yes, Sir. **Mayor Benjamin Gomez**, it says, AEP will be happy to discuss a timeline of this project once the job is designated for our engineers. **Mr. Olivarez**, yes, Sir. **Mayor Benjamin Gomez**, so we don't have none of that in writing on this but yet, you are warranting us this and that, **Mr. Olivarez**, yes, Sir. **Mayor Benjamin Gomez**, and those are not facts or true numbers to me. **Mr. Olivarez**, the guarantee that I can give you is on the light. Now, as far as the installation, that is where we have to discuss it thru workshop and thru the meeting, Sir. **Mayor Benjamin Gomez**, then, we'll have to discuss it on a workshop, **Mr. Olivarez**, I understand. **Mayor Benjamin Gomez**, and then bring this back again because I have been asking for the workshop since the very first time. I don't have a problem with LED lighting or you or anybody else. My problem is and my concern is that we asked for a workshop since the first time you all came and you never provided it and it took you, I don't know how many months to come back to the table and try to give us a deal. **Mr. Olivarez**, well, the reason is. **Mayor Benjamin Gomez**, I need a workshop. I don't know about everybody else but I need a workshop. **Mayor Pro Tem Carol Lynn Sanchez**, I do too. **Mr. Olivarez**, and that is what I am here for, Sir. **Commissioner Guerra**, excuse me, you know Mayor, I have asked for a workshop also in the past and most of us, you know, there have been some Commissioners that they say that they do not have time. **Mayor Benjamin Gomez**, I have all the time in the world, **Commissioner Guerra**, I do too, I do too, ok, I do too also. I have been asking for workshops and certain thing and it hasn't, you know, it has not come to play on that. So, if we are going to be back and forth as far as workshops, then let's get the workshop. **Mayor Pro Tem Carol Lynn Sanchez**, you just come up here and you give us the paper in two minutes and now all of a sudden, hey here, and it is out of our budge. **Mr. Olivarez**, I understand. **Mayor Pro Tem Carol Lynn Sanchez**, that is insanity. **Mr. Olivarez**, but that is you all motion and you all responsibility to get that motion. I have no control of you all. **Mayor Pro Tem Carol Lynn Sanchez**, on the bond, it also specifically says, as long as it does not go over 10 million, **Mr. Olivarez**, correct, **Mayor Pro Tem Carol Lynn Sanchez**, the bond is clear and can go over 10 million. And that was my concern. **Commissioner Gonzales**, I am glad you brought that up, do we have a final say so yes or no, Sir. You can discuss what you want to discuss or ask what you want to ask. Your concern is anybody's concern. I have concerns also on that but I just play it out so we can just get it. Do we do it or we do not do it so that we can get it out of the way. Is it going to be no, I mean we all decided that it was, not only one person after a person, after a person, we all decide, because it is going to affect everybody and all five of us is going to affect us. **Mayor Benjamin Gomez**, I am willing to look at all other options, I am willing to do the workshop. At the first time they came, we said that we were going to do a committee we were going to identify the places in the city that really needed that. We have done none of that and we lost contact with you guys for probably two months, maybe three. **Mr. Olivarez**, it was a month because it was during the restructure of going direct, Sir. **Commissioner Guerra**, that is where you wanted to go direct, that The City wanted direct, they did not want the middle man, they wanted to go directly with the company as far as using this. **Mayor Benjamin Gomez**, for the workshop? But we were not having any workshops. **Commissioner Guerra**, also, the PD, City Manager, didn't PD used this also? To go use, drones? To go find exactly the dark places that need lights. **Mayor Benjamin Gomez**, we've identified a couple. **City Manager Manuel De La Rosa**, we have already identified a few. **Mayor Benjamin Gomez**, we've never formed the committee that we had said before at the first time, of forming a committee. We were going to be out there at night identifying those areas and we never did that. So, if we dropped the ball, we dropped the ball. But you all dropped the ball too. **Mr. Olivarez**, we are in this together. **Mayor Benjamin Gomez**, you dropped the ball in the sense of not having the workshop. I would really like a workshop. **Mr. Olivarez**, can we schedule. **Mayor Benjamin Gomez**, we can motion to have a workshop but I am not going to motion to approve this deal right now. **Mr. Olivarez**, I understand. **Mayor**

Benjamin Gomez, I do not know about anybody else, but I, personally, am not because I really need more information on it. **Mr. Olivarez**, and that is what the workshop is for, and I understand and I am with you. **Mayor Benjamin Gomez**, I really need more information, I cannot do this to our taxpayers here without, **Mr. Olivarez**, correct. **Mayor Benjamin Gomez**, really, really being comfortable with me. This is me speaking. I do not know how everybody stands. **Mr. Olivarez**, I am a taxpayer too. **Mayor Benjamin Gomez**, yes, so that is where I stand and my disappointment is that you guys, the very first time we spoke, we were going to do that workshop. It never came about. We never heard from you guys, that was my biggest disappointment. If you would have been in contact with us, I would have been into it a little better. But, when somebody doesn't call us or comes back to us, I feel like they are hiding something and I do not feel comfortable with something like that, especially at the position that I have. I have to represent my community and all these people. **Mr. Olivarez**, I understand. **Mayor Benjamin Gomez**, I am sorry, I can motion for a workshop but that is about it. I do not know what anybody else wants to do. We want motion. I have a motion for a workshop by **Commissioner Gonzales**, **Commissioner Guerra**, seconded motion. Voting Aye; **Mayor Benjamin Gomez**, **Mayor Pro Tem Carol Lynn Sanchez**, **Commissioner Antonio Gonzales**, and **Commissioner Ricardo Guerra**. Motion carried to **APPROVE A WORKSHOP**.

City Manager Manuel De La Rosa, if you'll look at your calendars, give me a date so that we can. **Mayor Benjamin Gomez**, yes, we can, but we have to, like, if we have to do it right now, we'll do it right now. Let's look at the calendars, I am available any time after 4:30. You guys let me know and I am available. I make myself available after work, whatever you guys want. If you guys want to set a date right now and it's three of us at the workshop, let's all three go. If it is four or five, we all will be there. **City Manager Manuel De La Rosa**, and it also will help staff to try because, one, it needs vetting, *re-due*. If this is turn-key and what I just heard, the 2.998 million is not turn-key. The same conversation that I think **Mr. Olivarez** had with **Dan Lucio** with AEP, when you called me today, I was getting briefed which is exactly what their position has been. Plus, AEP is coming up with their LED lighting and basically, I am now seeing this email for the first time which what he told today was, the San Antonio area which is where **GreenStar**, when we visited, is de-regulated. AEP Texas down here is not de-regulated so they do not have the same flexibility. One, two, they can't be on their poles, they can buy their poles and stuff but not to get a bended and someone has to remove them. Our street lights are not metered that means that they are going to be metered. That means that we are going to be paying for whatever usage goes thru there. It is very difficult, even for you, sitting Commissioners, at a workshop, to be looking at something when we do not see an analysis. **Mayor Pro Tem Carol Lynn Sanchez**, at this time, they can't give us any answers. **City Manager Manuel De La Rosa**, exactly, city administration has not received, just like every other negotiation that we are doing right now, we get it legal and administration presents it to you in executive minutes because of ongoing negotiations and we vet it, we get instruction frame and we go back. That is kind of what I would like to see here. We will move as quickly as we have other projects but as soon as we get this, we will start asking questions. It goes from me to **Mr. Sossi** and we start looking at the legalities, who are we doing business, is it by board, were they vetted, is it roughly 3 million dollars. Is it 10 million. I do not know. I do not know what AEP is willing to do or not do because, until I get instruction from this Commission that says go speak with AEP and says what they are willing to do and how does this work for them, at that point we will start spending some time because it is. They are going to get their legal, we are going to have our legal and we start accruing cost before we have done anything. So, you can put it on your calendars. Now, we have calendars that we are starting because we are starting the budget process. I just approved the calendar schedule. Today, you will be getting it but your workshops starting mid-June thru, because we have to adopt the budget by the first

meeting in September. We have the Appraisal District preliminary assessments coming in, so you are about to have a lot of subject on your summer. Some of you are wanting to spend time with your kids and every other week or every week you are going to be here. Just like we had these budget workshops along with our regular meetings. That may be a good time, June, this is May, for us to start getting that information and then we can plug into one of the budget workshops too. You are already here anyway. **Commissioner Gonzales**, in the previous meeting it was approved that we were going to have a workshop. What he is talking about, he can get with him and talk about the information that you need and then you can give it to us. If we have the workshop, there will be no more questions for we will have all the answers, good or bad whatever it is and we'll take it from there. **City Manager Manuel De La Rosa**, that is what I am asking, do you want to have another one or you can have it at one of those budget workshops that you already have coming up. **Mayor Benjamin Gomez**, I think that we can hold it together seeing as we are already there. **Commissioner Gonzales**, as long as we have one so that we can discuss it and for him to talk to him, for them to get together both the City Manager and the representative. All the questions he is asking right now, he can ask him and get everything together for us. **Mayor Benjamin Gomez**, maybe we could also have Mr. Lucio or someone from AEP, they can come and tell us what is up too. **City Manager Manuel De La Rosa**, I think they will and at the same time, Mayor, because this is a group of volunteers, whether it is elected officials too and others, get that committee. You still need to decide if you are going to replace operating lights or are you just going to hit the dark areas. You've not given us direction to know exactly, so, without really knowing what it is, I think that part of that assessment, the drones, all of these night times, these folks have the same information we have. We can go on the internet and we can find a lot of this stuff. You can see the spots thru town and do overlays and get an idea of dark soft spot and some drive is going to be some investment of time and we are going to be doing that also and we will start comparing that. With your authorization, I will start those conversations and start saying this is what we need to see, it is enough or not enough. **Mayor Pro Tem Carol Lynn Sanchez**, I would also like to know from AEP, a comparison on the fact that we already have a project going with them. I want to know what the comparison is money wise on them. I know one of the big things we saw was that we are going to be paying 9 dollars with AEP and over here it was going out to 394 dollars with 43 cents per light. **Commissioner Guerra**, really? Really, AEP charges us 9 dollars for LED lights? **Mr. Olivarez**, per month, they have a tariff price that they charge 9 dollars per light. The light only belongs to AEP whether it is working or not the City is paying 9 dollars plus the electricity that is being used by your other vendor. The reason that it is true that they are, like Ms. Carol said, the pilot program that they have going and he explained to me and he will explain it to you all. They are going to be changing one light, say if it goes out, one LED light for one, they are not going to change the whole city. That is why the City of Harlingen decided to change the whole thing to go after that revenue and not wait and not do it one by one. He will explain it to you, he said, yeah, we are going to change the LED but it may be from 10 years or 20 years. Now, do you want to be on that back list where you know, you are not saving money, you are not building revenue, I mean, I don't. I do not want my city to do that. **Mayor Benjamin Gomez**, I do not either and I want a brighter city but we cannot jeopardize all this money and get in a bigger debt than we are already at. **Mr. Olivarez**, I understand that. **Mayor Benjamin Gomez**, so, I mean, my concern is my community, my citizens. **Mr. Olivarez**, it is a project that pays for itself. **Mayor Benjamin Gomez**, I know that this the company you work for and it is business, I agree with that, but my concern is with my people. **Mayor Pro Tem Carol Lynn Sanchez**, and from the last time, I know I was probably the more vocal, my concern was fixing the problems that we have that are more important than lighting right now. **Mr. Olivarez**, this project pays itself. **Mayor Benjamin Gomez**, it pays itself but. **Mayor Pro Tem**

Carol Lynn Sanchez, yes, but eventually, I mean if you sit down, how long is it going to install these lights, how long is it going to take to get thru the contract, how long is it going to take for the savings to actually show, how long is it going to take this bond and now we have a new bond. Mr. Olivarez, everything is done thru workshop. Mayor Pro Tem Carol Lynn Sanchez, exactly, we have no answers. Mr. Olivarez, that is why we have to work together. Mayor Pro Tem Carol Lynn Sanchez, and right now we do not know what our budget is going to look like because we haven't gone into this bond and that is the problem, we do not know where we are and I am still in the same position because nothing has changed from the last time you were here. We do not know where we are sitting with this other bond Mr. Olivarez, that is why we have to work together. Mayor Pro Tem Carol Lynn Sanchez, is something that needs to be done. Yes, it must be nice to have LED lighting but we don't have working sewers. We just had someone speaking on our sewer systems. If we do not have this taken care of, we do not know where we sit. How do we know we can even afford these payments that are going to be coming thru whether it be the 5,10, 15 payments? Mr. Olivarez, it will be paying itself off within seven years. That is a guarantee. Mayor Pro Tem Carol Lynn Sanchez, you said it wasn't a guarantee the last time. Mr. Olivarez, no, because I did my homework and that is why I am back here. That is why I am doing this third time. Because we have been doing our homework. Thru workshop, I am sure we can work everything out. Commissioner Guerra, Manny, how much do we pay AEP? City Manager Manuel De La Rosa, I thought it was 12 or 13 dollars per light. Do you know each light billing? No, I do not know Commissioner, we would have to send that out to you. Mayor Pro Tem Carol Lynn Sanchez, is that actual light usage or? Or just having a light because, I mean, we are still going to have to pay. City Manager Manuel De La Rosa, no, we pay, it is not metered, we pay for every street light. So, we've added, Mayor, you probably have sent me a request for about a dozen in the last year. Every one of those adds, I rounded up to 15 dollars but we keep adding. We are dealing with AEP. JM Ojeda St., is Magic Valley because we just added two street lights on JM Ojeda at a request. Same thing we heard, we do not have a simple. We need to put a street light and AEP says, not our area, go to Magic Valley. Now, we are talking about a second vendor that we are going to have to be dealing with in our same city. We get an audit on how many lights we pay at bulk number. So, that assessment, once we have an idea of what that meter wattage, what that light is going to use, what we are going to pay, we start comparing and that will tell us whether it is an apple or apples. Because, this was just installation, what's the meter, what's the cost of electricity. The moment I start getting those numbers, I start comparing our numbers. Until it becomes an issue, I do not go pull the bills up. Commissioner Guerra, apparently, AEP rates are going up, right? City Manager Manuel De La Rosa, I do not know that to be a fact. Commissioner Guerra, it is in one of our City Manager Manuel De La Rosa, well, yes, and that is what they charge everybody. Remember, this is what they charge the city. Mayor Pro Tem Carol Lynn Sanchez, so, will they be providing the lights for us or are they just doing installation of the lights. City Manager Manuel De La Rosa, no, no Mayor Pro Tem Carol Lynn Sanchez, are they an electricity company? City Manager Manuel De La Rosa, these lights will have buy electricity from AEP. Mayor Pro Tem Carol Lynn Sanchez, it is not going to get effective, rather. City Manager Manuel De La Rosa, exactly. So, the rate charges that we have this evening, is what you as the homeowner pays them and we are going to have to ask them to suspend that. It has nothing to do with street bills. Nothing has changed. Mayor Pro Tem Carol Lynn Sanchez, so, we are going to have to continue those rates no matter what we are going to pay them. City Manager Manuel De La Rosa, instead of dealing with one, we are going to have to be dealing with somebody that is going to get it installed, somebody that is going to service it and AEP for the bill that is metered. So, it is going to get so much more complexed. I mean, right now it is fairly simple, x number of lights times whatever the rate is total. If we are going to be looking at

this, I need for the vendor to tell me what the saving is so we can start doing an apple to apples comparison. Tell me how many lights, what wattage, what do you think your engineering design is going to be for that light wattage, electricity so I'll know how to do the calculations for the billing. We will confirm that with AEP. AEP will design theirs but if this is different, and they have to contract with AEP, we have to secure AEP and we need to pay upfront because they do not do credit for our own 14 or 16 decorative street lights. It is 14 or 16 decorative street lights at the San Benito Plaza. We could not buy just any decorative lights if we wanted them maintained by AEP which is why we purchased their lights so that they would maintain them because we do not have the equipment, the manpower or the expertise. **Commissioner Gonzales**, when we put the lights on downtown, AEP wanted to charge us for the poles that they wanted to take out. **City Manager Manuel De La Rosa**, and that is what they said now, if this company wants to put on their own, we are going to leave them in place and you are going to have old poles unless you want to pay to have them removed. **Mr. Olivarez**, we are not going to be doing the installation, as stated. We are working together with AEP. AEP will be removing and installing, it is in your list in your packet that I gave you. **Mayor Benjamin Gomez**, but not for free. **Mr. Olivarez**, everybody has a cost, there is nothing free in this world. **Mayor Benjamin Gomez**, how is this paying for itself if it is not going to be free for us. **Mr. Olivarez**, with the savings on the energy. **Mayor Benjamin Gomez**, everything costs money, so. **Mr. Olivarez**, with the savings as well. **Mayor Benjamin Gomez**, how long is it going to cost us to save that money. **Mr. Olivarez**, Sir, until we have that workshop. **Mayor Benjamin Gomez**, exactly, so, that is what I have been saying since the first time you all came. **Mr. Olivarez**, yes, Sir. **Mayor Benjamin Gomez**, and we are still spinning wheels and coming back with another presentation and another presentation and another presentation. We need to get that workshop going. **Mr. Olivarez**, I am waiting, if I can have you all permission. **Mayor Benjamin Gomez**, you have our permission. Go get it. Ok. Thank you, so we will schedule it around one of our budget workshops. **City Manager Manuel De La Rosa**, we can schedule it with one of our budget workshops coming up so that is a good time. **Mr. Olivarez**, Mr. De La Rosa, would you notified Jethro and I. **City Manager Manuel De La Rosa**, I will, yes, I will send you the schedule. **Mayor Benjamin Gomez**, cc me, so I'll know that you notified them. **City Manager Manuel De La Rosa**, I will. **Commissioner Gonzales**, all these questions we had. **City Manager Manuel De La Rosa**, yes, we can start the process. **Commissioner Gonzales**, so you can have the answers for us. **Mayor Pro Tem Carol Lynn Sanchez**, no more questions on this because this actually, again, goes exactly to what I was saying. **City Manager Manuel De La Rosa**, we'll start a full vetting review including legal review of this. **Mr. Olivarez**, thank you for your time. Thank you.

Mayor Benjamin Gomez, announced moving to Agenda Item Number 18.

ITEM 20. EXECUTIVE SESSION:

- A) CONSULTATION WITH CITY ATTORNEY PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2) AND §551.072 REGARDING NEGOTIATING CONTRACT FOR LEASE OF LAND.

THE CITY COMMISSION CONVENED INTO EXECUTIVE SESSION AT 7:02 P.M. AND ADJOURNED AT 7:55 P.M.

GENERAL SESSION:

ITEM 21. DISCUSSION AND POSSIBLE ACTION ON ITEM DELIBERATED UNDER EXECUTIVE SESSION 20(A).

Mayor Pro Tem Carol Lynn Sanchez announced directing the city staff to proceed as instructed in executive session. Mayor Pro Tem Carol Lynn Sanchez moved to approve. Commissioner Ricardo Guerra seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Antonio Gonzales, and Commissioner Ricardo Guerra. Motion carried to **APPROVE ITEM DELIBERATED UNDER EXECUTIVE SESSION 20(A), DIRECTING CITY STAFF TO PROCEED AS INSTRUCTED IN EXECUTIVE SESSION.**

ITEM 21. ADJOURNMENT.

Mayor Pro Tem Carol Lynn Sanchez, requested a motion to adjourn. Commissioner Ricardo Guerra moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting aye. Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Antonio Gonzales, and Commissioner Ricardo Guerra. Motion carried to **ADJOURN AT 7:55 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