



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

On September 17, 2020 the City Commission met for a Special Meeting at the San Benito Municipal Building, Cesar Gonzalez Meeting Hall, 401 North Sam Houston Boulevard, San Benito, Texas.

City Commission Members Present: Benjamin Gomez, Mayor; Antonio Gonzales, Commissioner, Place 1; Rene Villafranco, Commissioner, Place 2; and Mark Sossi, City Attorney.

City Commission Member Absent: Carol Lynn Sanchez, Mayor Pro Tem Vacant, Commissioner, Place 3

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

**ITEM 1. WELCOME.**

**Mayor Benjamin Gomez** called the meeting to order at 5:30 p.m. confirming a quorum.

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

**Commissioner Antonio Gonzales** led the City Commission and audience in reciting the pledge of allegiance to the U.S. Flag and to the Texas Flag.

**ITEM 3. INVOCATION.**

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

**ITEM 4. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.**

**Mayor Benjamin Gomez** announced Cameron County Telethon, St. Benedict's Catholic Church U.S. Census Event and presented a proclamation to Tropical Smoothie Café, a new business in San Benito.

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

**Ruth McGinnis, City Secretary** announced no public comments.

**ITEM 6: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE AUGUST 18, 2020 REGULAR CITY COMMISSION MEETING.**

**Mayor Benjamin Gomez** requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye: **Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Rene Villafranco.** Motion carried to **APPROVE THE MINUTES OF THE AUGUST 18, 2020 REGULAR CITY COMMISSION MEETING.**

**ITEM 7: CONSIDERATION AND POSSIBLE ACTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT AUTHORIZING AEP-TEXAS TO REPLACE ON FAILURE ANY EXISTING ACTIVE STREET LIGHT WITH THE ALTERNATIVE AEP LED STREET LIGHT.**

**City Manager Manuel De La Rosa** addressed the City Commission advising about a year ago AEP informed us they would have a replacement program for the high sodium lights already there, they will not be maintaining as they are not cost efficient, they utilize a lot of electricity. We pay a base rate for street lights. If we want them replaced with LED lights upon failure they will do through this agreement. LED

provides more lighting, if we want to change lightings, for example, if you want to do all of Sam Houston and they were operating, it'll be \$137.86 they'll replace those lights. Mayor Gomez requested a motion. Commissioner Rene Villafranco moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting Aye: Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco. Motion carried to AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT AUTHORIZING AEP-TEXAS TO REPLACE ON FAILURE ANY EXISTING ACTIVE STREET LIGHT WITH THE ALTERNATIVE AEP LED STREET LIGHT.

ITEM 8. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A LEASE AGREEMENT WITH YOUNG LIFE.

City Manager Manuel De La Rosa addressed the City Commission advising lease agreement is for former tax office which is across the street from the Veterans Memorial. Young Life provides programing for young males and females generally they do this at school district since not meeting at school district they would like to continue with the program. Recommending the \$400 per month for one year or start October 1, 2020, till the end of September next year. Previously discussed this in Executive Session when looking at boundaries of this agreement. This was proposed to Young Life and they have provided to their legal counsel and we are waiting on that. Local pastor providing the program has seen it he did not see any issues. Recommendation approval conditionally, if minor changes, with approval of city attorney with changes you authorize the mayor to move forward nothing substantive changes if it does then it comes back to city commission. Mayor Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting Aye: Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco. Motion carried to APPROVE A LEASE AGREEMENT WITH YOUNG LIFE.

ITEM 9. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A HARDSHIP ASSISTANCE PROGRAM IN THE AMOUNT OF \$180,000.00 TO PROVIDE FINANCIAL ASSISTANCE FOR RENT OR MORTGAGE PAYMENTS AND UTILITY PAYMENTS, INCLUDING WATER/SEWER/TRASH, GAS, AND ELECTRICITY, FOR CITY OF SAN BENITO RESIDENTS WHO HAVE EXPERIENCED FINANCIAL HARDSHIP DUE TO THE CORONAVIRUS PANDEMIC.

Christina Sanchez, Court Administrator and Assistant to the Emergency Management Coordinator addressed the City Commission stating the City wishes to create a program that will assist City of San Benito residents who have experienced financial hardship due to COVID-19. The program will be funded from the CARES Act COVID-19 Relief Funds. The city will be allocating \$180,000.00 from the CARES Act Relief Funds Act for this program, \$13,500 has been allocated for administrative cost, being 5% of total funds received. The remaining balance of \$166,500 available for the program. It will be administered by city staff and if approved application and forms will be available on city website by next Wednesday. City Manager Manuel De La Rosa addressed the City Commission advising we received \$1.3 million of CARES Funds. The \$180,00.00 can be specifically utilized to help disadvantaged individuals affected by the pandemic. There has been another allocation from federal government through Housing and Urban Development for \$220,000.00. Last week HUD made a second allocation of another \$176,000.00 which made the local papers. Those HUD funds have more restrictions than the initial \$1.3 million. We have utilized a little over \$30,000.00 less than \$40,000.00 toward the purchase of PPE type equipment for City Staff, Police, Fire, every city employee, sanitizing stations. The first allocation will allow us to move forward. There is an application process it's in your packet, it's already been put out by other cities and there are guidelines, the federal government will not tell you what to do. You as the governing body sets the criteria. This is an assistance program, folks have to comply, they cannot be double or triple dipping, they are signing. We have a duty to make sure they are complying. Once it's approved by the City Commission, it will be vetted by two employees, Mr. Bell and myself. The HUD Application is based on census tracks, more time consuming, and requires more verification. All of these need to show proof. These are federal funds. City Attorney Sossi has reviewed it on legal standing to hold applicants responsible. We are moving forward. There will be more funding, the \$1.3 million can be used which has not been used. In the future, there is an allocation, we will have to front the money to the applicant and then request it from the government. Right now, we are not fronting, this funding is already in the City.

We are not getting the leadership that we need out of the federal government. You as elected officials if you determine the application is worthy and us, as staff and legal counsel, we've looked to see what other cities are doing, it makes sense, we keep them in line, that's as much as we can do and defend this application. Attorney Sossi advised if they make the application they have all the obligations to make sure the information is true and they are applying for a federal funding program and to make a mistake on something there's even criminal penalties attached. The applications will be created at [sbcares@cityofsanbenito.com](mailto:sbcares@cityofsanbenito.com), they can e-mail us and will go to Christina Sanchez, Elvira Cavazos, Fred Bell, and Manuel De La Rosa. The application process will go through these folks, these are Emergency Management funds, the approval is Fred Bell. Before a check gets cut, it goes through a checks and balance process. **Mayor Benjamin Gomez** requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye: **Mayor Benjamin Gomez**, **Commissioner Antonio Gonzales**, and **Commissioner Rene Villafranco**. Motion carried to **APPROVE THE HARDSHIP ASSISTANCE PROGRAM IN THE AMOUNT OF \$180,000.00 TO PROVIDE FINANCIAL ASSISTANCE FOR RENT OR MORTGAGE PAYMENTS AND UTILITY PAYMENTS, INCLUDING WATER/SEWER/TRASH, GAS, AND ELECTRICITY, FOR CITY OF SAN BENITO RESIDENTS WHO HAVE EXPERIENCED FINANCIAL HARDSHIP DUE TO THE CORONAVIRUS PANDEMIC.**

**ITEM 10. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE INSTALLATION OF AEP UTILITIES IN FUTURE MUNICIPAL RIGHT OF WAY ALONG EAST YOST ROAD.**

**City Manager Manuel De La Rosa** addressed the City Commission advising that along Yost Road, adjacent to the City South Park, as you gain ingress onto the south property off Sam Houston, it doesn't go East but does go to the South to Yost Road. If you've been at the intersection of Yost and Eighth Street you'll see that AEP built a new substation. They will run down new dwellings down Yost Road. When Yost Road was a county road, it had only 20 feet of pavement. We have a third fare plan which is 60 foot right of way, since City owns that property, we would dedicate 20 feet off of our property adjacent to Yost Road. Across the street, when it develops, we can dedicate 20 feet and that's how we get 60 foot right of way, it's how platting works for permitting process. Once we determined the meets and bounds they were requesting and the easement from the City, so they can put transmission line, as they realized we own it. We are about to plat this property, we are putting the ballfields, making one tract of land, and we are going to dedicate our 20 feet. That's why you'll see where they proposed their easements. We looked at where our alignment is and your easement will be in the public right of way, where you put gas lines, water lines, sewer and electric lines, there's no reason, we are working in getting proposals to get property platted and presented to you for filing. There's no reason to file an easement on a future area that will be part of a future right of way. We are asking authorization to allow AEP to go through the road and for us to prepare letter for Mayor's signature that says yes you can put it in there as it's going to be a future right of way. **Mayor Benjamin Gomez** requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye; **Mayor Benjamin Gomez**, **Commissioner Antonio Gonzales** and **Commissioner Rene Villafranco**. Motion carried to **AUTHORIZE THE INSTALLATION OF AEP UTILITIES IN FUTURE MUNICIPAL RIGHT OF WAY ALONG EAST YOST ROAD.**

**ITEM 11. CONSIDERATION AND POSSIBLE ACTION TO TRANSFER FUNDS IN THE AMOUNT OF \$151,896.03 TO THE TAX INCREMENT REINVESTMENT ZONE FOR FISCAL YEAR 2019.**

**Belen Pena, Finance Director** addressed the City Commission request approval to transfer funds in the amount of \$151,896.03 for the 2019 TIRZ. In the meeting of August 18<sup>th</sup> the City Commission approved Mundo and Associates to do the TIRZ Reports and this amount is owed to the TIRZ Fund. **Mayor Benjamin Gomez** requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye; **Mayor Benjamin Gomez**, **Commissioner Antonio Gonzales** and **Commissioner Rene Villafranco**. Motion carried to **AUTHORIZE THE TRANSFER OF FUNDS IN THE AMOUNT OF \$151,896.03 TO THE TAX INCREMENT REINVESTMENT ZONE FOR FISCAL YEAR 2019.**

**ITEM 12. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CHAPTER 380 PAYMENT IN THE AMOUNT OF \$61,329.82 TO H.E.B. GROCERY COMPANY, L.P., FOR FISCAL YEAR 2019 PER ECONOMIC DEVELOPMENT AGREEMENT DATED JULY 15, 2010.**

**Belen Pena, Finance Director** addressed the City Commission advising City received a request from H.E.B requesting payment per the 2019 Chapter 380 Agreement in the amount of \$61,329.82. This agreement has three more years based on the amounts we are paying. **Mayor Benjamin Gomez** requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco**. Motion carried to **APPROVE A CHAPTER 380 PAYMENT IN THE AMOUNT OF \$61,329.82 TO H.E.B. GROCERY COMPANY, L.P., FOR FISCAL YEAR 2019 PER ECONOMIC DEVELOPMENT AGREEMENT DATED JULY 15, 2010.**

**ITEM 13. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SECOND AND FINAL READING OF ORDINANCE 2577, AN ORDINANCE OF THE CITY OF SAN BENITO ADOPTING A BUDGET FOR THE GENERAL FUND, DEBT SERVICE FUND, COMMUNITY DEVELOPMENT BLOCK GRANT, ECONOMIC DEVELOPMENT FUND, WATERWORKS ENTERPRISE FUND, WASTEWATER ENTERPRISE FUND, SOLID WASTE ENTERPRISE FUND, UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, AND HOTEL AND MOTEL OCCUPANCY TAX FOR THE ENSUING FISCAL YEAR OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF SAN BENITO, TEXAS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.**

**Belen Pena, Finance Director** addressed the City Commission requesting approval of the Second and Final Reading of Ordinance 2577 for the City Budget for Fiscal Year 2020-2021. **Mayor Benjamin Gomez**, requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye: **Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco**. Motion carried to **APPROVE THE SECOND AND FINAL READING OF ORDINANCE 2577, AN ORDINANCE OF THE CITY OF SAN BENITO ADOPTING A BUDGET FOR THE GENERAL FUND, DEBT SERVICE FUND, COMMUNITY DEVELOPMENT BLOCK GRANT, ECONOMIC DEVELOPMENT FUND, WATERWORKS ENTERPRISE FUND, WASTEWATER ENTERPRISE FUND, SOLID WASTE ENTERPRISE FUND, UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, AND HOTEL AND MOTEL OCCUPANCY TAX FOR THE ENSUING FISCAL YEAR OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF SAN BENITO, TEXAS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.**

**ITEM 14. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SECOND AND FINAL READING OF ORDINANCE 2578, AN ORDINANCE OF THE CITY OF SAN BENITO, TEXAS LEVYING AN AD VALOREM PROPERTY TAX RATE FOR THE YEAR 2020.**

**Belen Pena, Finance Director** addressed the City Commission requesting approval of the Second and Final Reading of Ordinance 2578 for City of San Benito levying the ad valorem property tax for the year 2020. The tax rate remains the same at .728125. **Mayor Benjamin Gomez** requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco**. Motion carried to **APPROVE THE SECOND AND FINAL READING OF ORDINANCE 2578, AN ORDINANCE OF THE CITY OF SAN BENITO, TEXAS LEVYING AN AD VALOREM PROPERTY TAX RATE FOR THE YEAR 2020.**

**ITEM 15. ADJOURNMENT.**

**Mayor Benjamin Gomez** requested a motion to adjourn. **Commissioner Antonio Gonzales** moved to approve. **Commissioner Rene Villafranco** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco**. Motion carried to **ADJOURN AT 6:08 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**

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**BENJAMIN "BEN" GOMEZ  
MAYOR**

**ATTEST:**

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**RUTH MCGINNIS  
CITY SECRETARY**