MINUTES
CITY OF HONDO
REGULAR CITY COUNCIL MEETING
April 10, 2023 at 6:00 p.m.

1. Called the meeting to order.
   Mayor McAnelly called the meeting to order at 6:00 p.m.

2. Quorum check.
   Mayor John McAnelly, Mayor Pro Tem Bobby Vela, Council Member Jose “Porky” Ytuarte, Council Member Brett Williams, Council Member Wesley Huesser, Council Member John E. Villa.

   Absent: None.

   Staff Present: City Manager Scott Albert, City Attorney Molly Solis, City Secretary Sue Ann Reyes, IT Network Administrator Josh Rodriguez, IT Support Specialist Adolfo Tellez, Public Information Officer Jamie Kindred, Public Works Director Rene Saenz, Director of Parks and Recreation Lora Socarras, Director of Aviation Ryan Elder, Development Services Director Jessica Carpenter, Chief Financial Officer Chris Hill, Police Chief Justin Soza.

3. Invocation by Pastor J. Paul Bruhn, First Methodist Church.

4. Pledge of Allegiance.

5. Citizens’/Public Comments: *Persons who desire to address the City of Hondo City Council will be received at this time. Those persons wishing to speak should complete a Public Comment Form and submit it to the City Secretary prior to the meeting. If the speaker wishes to comment on a particular agenda item, then the speaker should indicate such item(s) to on the form. Public comment is limited to 3 minutes per speaker. Speakers must conduct themselves in a civil manner. In accordance with the Texas Open Meetings Act, the City of Hondo City Council cannot deliberate or take action on items not listed on the meeting agenda*)

   Chavel Lopez, 1002 Avenue S, expressed his concerns regarding the deplorable streets. He stated he would like to know what streets were being repaired and what the timeline was on the repairs. Mr. Lopez also suggested a possible rebate program from the City of Hondo for residents who purchased energy star efficient appliances.

**PRESENTATIONS**

6. City Manager’s Report. (Scott Albert)

   City Manager Scott Albert reported staff was moving forward with the demolition of the Senior Center, and accessory buildings associated with the senior center and the police substation in the food pantry. Staff was coordinated with the Medina Meals on Wheels for removal of the kitchen equipment and hoped to have it out by the end of April. Staff was also working with Post Oak who would be documenting any statistical data and taking pictures of the dance hall building for historical purposes. Mr. Albert stated the EDC was hoping to begin the search for an EDC Director of April 22, 2023. The EDC Board appointed Ashley Lowe, Brett Riff and Roger Hernandez as a search committee for the position.

   Staff executed a proposal with PMR to replace the roof at the Training Center and the STRTC Annex and they anticipated being on site within the next four weeks to start work.

Advertisement for the Golf Course Superintendent position would begin this week and currently Jamie Kindred was temporarily helping with daily operations at the golf course. Mr. Albert stated he had been meeting with Caleb Kelly on a weekly basis to determine if staff needed to make any adjustments.

Mr. Albert reported the City closed on the Stronghold property last week and the City now owned the 3.22 acres.

Mr. Albert also reported staff was working on a contract with Gallagher and the City Attorney to move forward with a compensation study and hoped to have it signed in the next couple of weeks and completed by the end of July.

7. Public Works Report. (Rene Saenz)

Director of Public Works, Rene Saenz gave an update on Avenue V infrastructure. Mr. Saenz reported the infrastructure was going to be done in phases. Freese and Nichols suggested paving the street again as they would be ripping it up for the water line. Mr. Saenz suggested doing some sort of a chip seal and stated they could also do asphalt but did not recommend a base material.

Councilman Ytuarte asked if Mr. Saenz had visited the road where the chip seal was used previously. He stated it was already degrading within two weeks. Councilman Ytuarte stated he felt using chip seal was unsatisfactory. Mr. Saenz clarified the material used by the County on the previous road was contaminated and that was why it was not adhering correctly and they were having to redo it. Councilman Ytuarte stated what was to say the City would not also receive contaminated material. Mayor McAnelly asked if there were different varieties of chip seal. Mr. Saenz stated there was and that this was just a temporary band-aid until the underground work was complete. When the underground work was complete, staff would come back and do the asphaltic/hot mix. Councilman Ytuarte asked if staff currently had access to the chip seal. Mr. Saenz stated he could get some.

Councilman Vela asked if chip seal was the only option. Mr. Saenz stated it was not. Councilman Vela asked Mr. Saenz to brainstorm and see what was most cost effective. Mr. Saenz stated he could and would respond through email.

Mr. Saenz stated the City made the first cut for the 2023 TxDot Safe Routes to School Grant. He stated the grant was $3.2 million and the City would have to contribute 20%, which was about $640,000.00. He also stated that because it was a multimodal grant fund they would like the City to consider bike lanes. He stated he had a meeting with Freese and Nichols to discuss further. Councilman Ytuarte asked if Avenue U was included all the way to 14th Street because it was not included in the last submission. Mr. Saenz stated Avenue U was included but did not know the boundaries; it only included the south side of the tracks. He stated staff had plans for the north side of the tracks in the near future.

Mr. Albert stated the current grant was a different from the previous one. Mayor McAnelly stated the grants had some requirements the City could not meet in the past.

Mr. Saenz stated phase one had started on the Downtown Sidewalk Project. He stated this consisted of Avenue K, Avenue M and 17th Street and would be meeting with business owners next week for any last minute changes or concerns.

Councilman Ytuarte asked why there were some start dates on the report, as he had never seen them before. Mr. Saenz stated he would get back to him with an answer. Councilman Ytuarte asked about work orders that were still open. Mr. Saenz stated the report Council received was two week old and that all work orders were closed.

Councilman Vela asked if the street plan for the summer could be provided at the next Council meeting.

**CONSENT**

8. Discuss and consider approving the minutes from March 27, 2023. (SueAnn Reyes)

Council Member Ytuarte made a motion to approve the minutes with correction from March 27, 2023; seconded by Council Member Vela. The motion carried by the following vote: AYE: Vela, Ytuarte, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

**OTHER BUSINESS**

9. Discuss and consider Resolution 401-23 amending the City of Hondo Personnel Manual modifying the prohibition on relatives working in the same department for certain positions. (Lora Socarras)

Director of Parks and Recreation Lora Socarras stated currently there were seasonal employees that applied for positions who were siblings or cousins and the current personnel policy did not allow the City to hire them together. Ms. Socarras stated the request was to adopt a resolution to amend the personnel manual to allow the City seasonal and temporary employees to be related to each other as long as they do not supervise each other. Councilman Villa asked if this was mainly for swimming pool and rec center personnel. Ms. Socarras stated that was mainly where the seasonal employees were but that it would apply to all seasonal employees.

Council Member Vela made a motion to approve Resolution 401-23 amending the City of Hondo Personnel Manual modifying the prohibition on relatives working in the same departments; seconded by Council Member Williams. The motion carried by the following vote: AYE: Vela, Ytuarte, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

10. Discuss and consider adoption of the Hondo Pool rules and regulations. (Lora Socarras)

Director of Parks and Recreation Lora Socarras stated the rules staff were looking to change were adult supervision for groups of 10 children or more, a clear bag policy and a prohibition of vaping added to the prohibition on smoking. Ms. Socarras stated there were also listed rules for large daycare groups and camps. This would ensure all kids were supervised appropriately and were in the right section of the pool to be able to swim safely.

Councilman Villa stated he felt rule number 18 asking for one supervisor for 10 or more children was a little excessive. He felt that was too many kids for one person and felt five was more appropriate. Council agreed five kids per person would be best. Pool Manager Mindi Gilliam stated this was geared towards groups that came in together like the camps and daycares. The persons in charge of those groups would be in charge of their own groups. Kids 13 and older would be able to come unsupervised after they pass their swim test. Discussion ensued regarding the swim test and the requirements. Councilman Ytuarte asked if there was a list of people who had passed the swim test. Ms. Socarras stated the new system would keep record of the swim tests. Councilman Vela asked about the Coast Guard approved flotation devices. Ms. Gilliam stated all life jackets were marked with a Coast Guard approved stamp and that all equipment coming through the door would be monitored.

Council Member Huesser made a motion to approve and amend the adoption of the Hondo Pool rules and regulations requiring one adult supervisor for every group of five children; seconded by Council Member Williams. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

11. Discuss and consider action regarding a contract with Prominence Painting and Remodeling LLC, for exterior painting of the Rick Taylor Recreation Center. (Lora Socarras)

    Director of Parks and Recreation Lora Socarras stated the request was to approve a contract for the painting of the Rick Taylor Center. The proposed method was through TIPS, which was a cooperative purchasing program that the City has used for the roofs in the past, and staff was asking to use the same method. Three requests were sent out and two were received with Prominence Painting and Remodeling LLC being the lowest bid. Councilman Villa asked why the City used TIPS and did not advertise locally. Ms. Socarras stated it was possible but that this was an expedited route due to the bid being received over a year ago. Discussion ensued regarding hiring local companies.

    Council Member Ytuarte made a motion to authorize the City Manager to enter into a contract with Prominence Painting and Remodeling LLC, for exterior painting of the Rick Taylor Recreation Center not to exceed $104,900.00; seconded by Council Member Williams. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

12. Discuss and consider appropriate action regarding the proposed closure and landscaping of the existing baby pool. (Lora Socarras)

    Director of Parks and Recreation Lora Socarras stated staff was requesting to close the existing baby pool and replace it with temporary landscaping. Ms. Socarras stated the baby pool had maintenance issues and concerns with the fencing. She sated the existing plumbing and electric would be kept and capped for a future splash pad or other addition not included in the budget.

    Councilman Ytuarte asked what the fencing issues were. Ms. Socarras stated the placement prohibited the lifeguards to get to the baby pool in a timely manner. Councilman Ytuarte stated it was a requirement for parents to be present in order for a child to use that portion of the pool. Ms. Socarras stated another concern was the depth of the pool that was 26 inches and current state regulation state it should typically be 18 inches. Councilman Williams stated he felt the baby pool should be padlocked and considered in the budget next year for a splash pad. Council agreed. No action was taken.

13. Discussion and possible action regarding 18" Sewer Line Emergency Repair. (Rene Saenz)

    Director of Public Works Rene Saenz explained a crack was found in a pipe while cutting the storm water conveyance area known as Little Live Oak Creek. The crack was 274 in linear feet and was broken on the bottom. The concrete pipe was replaced with PVC pipe and the amount exceeded $50,000.00. Mr. Saenz explained it would have affected the west side of Avenue Y and the prison. He stated because it exceed $50,000.00 in emergency funds legal sated it still needed to be presented to Council for approval of the emergency repair. Mr. Saenz stated the financial impact was to the collection maintenance line item, the sanitary sewer improvements and the contingency funds. This will result in a budget amendment.

    Council Member Vela made a motion to approve the emergency repair price increase of

$59,791.00 for the 18” sewer main repair; seconded by Council Member Williams. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

14. Discussion and possible action regarding financing taxiway improvements. (Scott Albert & Ryan Elder)

City Manager Scott Albert stated last May Council approved a resolution authorizing staff to submit a grant application to the Texas Department Transportation for the rehabilitation of airport taxiway. Texas Department of Transportation was ready to move forward with the repairs but they were requesting the City’s match to the project by April 13, 2023. The cost of the project was $1.3 million. The federal grant money was $691,000.00. The City's match would be $598,840.00, there were two additional grants for $32,000.00, and $13,000.00 Staff was requesting authorization from the City Council to spend $600,000.00 from the general fund. The EDC will reimburse the general fund once the City negotiates a loan between the EDC and airport to fund the project. There was currently $4.7 million in the general fund in the last fiscal year and the City was more than capable of financing $600,000.00.

Councilman Vela asked when the transfer from the EDC back to the general fund would take place. Mr. Albert stated as soon as the term were negotiated which would be in a month of two. The city attorney was working on a loan agreement between the EDC and the City. Staff was recommending a 2% over a 20-year period and the EDC was aware the max from the City was $50,000.00.

Councilman Ytuarte asked if the EDC had committed to the loan. Mr. Albert stated they had but they were not specific on terms and wanted to leave it open at that point. Discussion ensued regarding ARPA monies CRRSA grants. Mr. Elder stated they had received those money and they would be used to chip away at the loan.

Council Member Vela made a motion to authorize staff to spend up to $600,000.00 from the general fund for improvements to Taxiway A; seconded by Council Member Ytuarte. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

15. Discussion and possible action regarding a Resolution 402-23 suspending for 45 days the effective date proposed by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas – South Texas Division, in its application filed on or about March 2, 2023, and authorizing, the city’s participation in a coalition of cities known as the Alliance of CenterPoint Municipalities to evaluate, through Special Counsel whether the data and calculations are correct in the CenterPoint rate application. (Scott Albert)

City Manager Scott Albert stated the rate increase was something the City went through every year. The City’s ability to review and change CenterPoint’s request to increase the gas rates were limited. He stated that although the City's ability to review or change CenterPoint’s request was limited, the City should exercise their due diligence in regards to the rate increase to ensure compliance with the requirements of the GRIP statue. It was necessary for the for the City to suspend the proposed effective date which was May 2 for 45 days until June 15, 2023 so the City could evaluate through special legal counsel, whether the data and calculations were correct in CenterPoint’s rate application. Staff was requesting the City Council approve Resolution 402-23 suspending the date the new gas rates could go into effect and authorize the City to join the Alliance of CenterPoint Municipalities using special counsel to evaluate the findings. This would be at no cost to the City.

Council Member Williams made a motion to approve Resolution 402-23 suspending CenterPoint's proposed effective date for increasing gas rates: Seconded by Councilman Huesser. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

16. Discussion regarding the City's code for regulating noise. (Brett Williams and Bobby Vela)

    Councilman Williams stated he had been getting many complaints regarding noise, open fires, and felt something needed to happen where citations were being issued. He stated he knew 99.5% of people in town were considerate but that for the small few something needed to be done because everyone in town deserved to peacefully live in their homes. Mayor McAnelly stated he wanted to emphasize there were ordinances regarding noise and that the City did handle complains. Mayor McAnelly encouraged the public to call the police department and complain.

    Councilman Villa asked Police Chief Justin Soza what the process was officers went through. Chief Soza stated they started with a verbal warning and if it continued then they would move into some type of stricter enforcement action. Chief Soza presented the council with trends going on in the City from January 1 to the current day. He stated there were 41 loud music calls of which were all dealt with verbal warnings. Discussion ensued regarding the citation process and historical data for addresses. Council felt it was worthwhile for the City to look into a program through Tyler that would track the calls for officers. Councilman Ytuarte stated he agreed with the Mayor and citizens needed to complain because if they did not the behavior would continue. Councilman Vela asked if the City had equipment to read decibels. Chief Soza stated they did not and that the equipment cost was $500.00 for each unit and it was difficult to get a reading from a car passing by.

17. Discussion regarding outdoor burning within the City limits. (Brett Williams and Bobby Vela)

    Councilman Williams stated his concerns were the same as the noise issues.

The City Council of the City of Hondo convened into executive session at 7:03 p.m.

<u>EXECUTIVE SESSION</u>

18. Executive Session: The City Council of the City of Hondo may convene in Executive Session in accordance with the Texas Open Meetings Act, Texas Government Code:

    *Section* 551.071(1) (A) and (2) (Consultations with Attorney) and Section 551.072 (Deliberations about Real Property), Section 551.074 (Personnel Matters), Section 551.076 (Deliberations about Security Devices), or Section 551.087 (Deliberations Regarding Economic Development Negotiations); Section 551.086 (Meeting concerning municipally owned utility-competitive matters);

    a. Discussion regarding a forensic investigation concerning the various employees who received pay adjustments and title changes during the tenure of Interim City Manager Brian Valenzuela. (Alan Nelson)
    b. Discussion regarding the evaluation and duties of the City Manager. (Mayor McAnelly)

The City Council of the City of Hondo reconvened into regular session at 8:17 p.m.

19. Discuss and consider appropriate action on items resulting from Executive Session.

Mayor McAnelly announced City Manager Scott Albert offered his resignation effective May 09, 2023. Mayor McAnelly expressed his appreciation for his service for that last two years.

Council Member Vela make a motion to accept City Manager Scott Albert's resignation; seconded by Council Member Williams. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

20. Adjourn.

Council Member Ytuarte made a motion to adjourn; seconded by Council Member Villa. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

PASSED AND APPROVED THIS 24th DAY OF APRIL 2023.

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JOHN McANELLY, JR., MAYOR

ATTEST:

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SueAnn Reyes, TRMC
City Secretary