

MINUTES
CITY OF HONDO
REGULAR CITY COUNCIL MEETING
May 08 2023 at 6:00 p.m.

1. Called the meeting to order.
Mayor McAnelly called the meeting to order at 6:01 p.m.
2. Quorum check.
Mayor John McAnelly, Mayor Pro Tem Bobby Vela, Council Member Jose “Porky” Ytuarte, Council Member Brett Williams (Arrived at 6:11 p.m.), Council Member Wesley Huesser, Council Member John E. Villa.

Absent: None.

Staff Present: Interim City Manager Robert T. Herrera, 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 Mike Vasquez, First Baptist 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, stated he thought the police department needed to buy an electric vehicle. He stated the City of Hondo had not done anything to help the planet with the climate change. There is no climate committee or plan put in place and he felt the City needed to put them in place and buy an electric vehicle.

PRESENTATIONS

6. Proclamation for National Police Week. (Mayor McAnelly)

Mayor McAnelly read and presented the proclamation for National Police Week.

7. Proclamation regarding Community Action Month. (Mayor McAnelly)

Mayor McAnelly read and presented the proclamation for Community Action Month.

8. Introduction of new Interim City Manager’s Report. (Mayor McAnelly)

Mayor McAnelly introduced and welcomed Interim City Manager Robert T. Herrera.

9. City Manager's Report.

Mr. Herrera stated it was an honor for him to come back as an Interim City Manager. The Hondo community was very kind, very helpful and embraced him and his family the first time he was here and it was something he would not forget. He stated he met with the outgoing city manager and with just about every department head of the City. He held one meeting with all the department heads together and outlined expectations of what to expect from him, and what he would do in return to support their needs. Mr. Herrera thanks some of the council members who took the time to take phone calls from him and gave him some background information to some of the projects the city was enduring. He felt that over the next couple of months there would be some major improvements. He was looking forward to working with the staff and council.

10. Public Works Report. (Rene Saenz)

Public Works Director Rene Saenz reported they received the first batch of AMI meters and installation would begin the week of May 15. Staff was planning a pre-construction meeting scheduled for Wednesday. Staff would be getting notices out to residents and invite the Interim City Manager to provide any input. Mr. Saenz and Breggar Garrison with Freese and Nichols presented a presentation regarding the Safe Routes for Schools Route. Presentation on file. Mr. Saenz stated they had been invited to apply for the grant and he had been working with Freese and Nichols and Langford Community Management. He stated the City planned to interconnect sidewalks and making them ADA compliant and safer.

Mayor McAnelly asked Mr. Garrison to address the location of the route, which was on the south side of the railroad tracts. Mr. Garrison stated there were two pieces to the grant program. One was the city was looking at the list of priorities and list of projects and the grant was looking for specific types of projects to fill that type of grant. The grant was looking for more shovel ready of easy to get on the ground projects. When they met with TxDOT during the first round of applications, they were looking for projects that did not have right away needs that did not have utility relocations that do not have railroad coordination that would delay a project and keep the grant from being able to be used and spent. Hondo was in a unique position for the grant, where many of the destinations that they are looking for that really hit on all the bullet points for this kind of grant operation. They are all right there on the south side and TxDOT even said that Hondo spoke to the heart of the grant opportunity. The good thing about the grant was that it did not Hondo from doing anything else in other parts of the city. It allows Hondo to get funding from outside the city so that it can use your dollars leverage them and do other projects elsewhere.

Council Member Ytuarte asked who picked the streets. Mr. Garrison stated it was a collaboration between city staff and Freese and Nichols staff. They were also open to public input, which was why they had been doing open houses.

Discussion ensued regarding safety and safety barriers. Mr. Garrison stated it did not have a safety fence or barrier but that they were proposing to provide a sidewalk off the street with a new curb to act as a small barrier. Council Member Ytuarte asked Mr. Garrison to make a note that some of the bike routes or sidewalks needed to be extended to the north side of town due to it being a high traffic area.

Council Member Ytuarte asked about an updated list on the priority possible start dates for the street refurbishment program. Mr. Saenz stated he had a list of 10 to 11 streets and he was asked to prioritize them and he needed to get traffic counts. He was working on getting traffic counts and he was halfway through. He could provide the first five and when he finished he could give the full list. Mr. Ytuarte stated 14th Street had no business being on the list and Mr. Ytuarte stated

it consisted of a section that had not been worked on. Council Member Williams stated that part of the street was still in good shape and that there were a lot worse streets. Mr. Saenz stated if there was a need for the replacement of infrastructure he wanted to repair that before paving.

Council Member Ytuarte asked about the paving of Avenue J that the County was going to assist in paving. Mr. Saenz stated the County was in the process of updating their interlocals with every city and before they can come do the street, they are updating the interlocals.

11. Hondo Police Department's intention to participate in the Texas Police Chiefs Association's Accreditation program. (Chief Soza)

Police Chief Justin Soza stated they had intentions to enter into the accreditation program through the Texas Police Chiefs Association. Chief Soza stated they were currently only 92 of the 2800 law enforcement agencies in Texas that were accredited. The program covered all aspects of law enforcement operations, including use of force, protection of citizen's rights, vehicle pursuits, property and evidence management and patrol and investigation operations. It ensured that the officers were receiving the most up to date training in all 12 critical issues that were currently facing law enforcement. Currently the program was \$600 but because the city was a member of TML, they pay for the accreditation program for the city because it reduced the risk and liability as an agency and as a whole. In preparation staff has redone the entire policy manual, and recently sent Lieutenant Garza and Sergeant Rivas to become accreditation managers through the Texas Police Chiefs Association. The department is about 40% done with what they needed. Through the budget last year, staff bought a system for policy management and accreditation management that was currently implemented.

OTHER BUSINESS

12. Presentation and discussion regarding Hondo Creek Farms. (Mayor McAnelly)

David Earl, representing Hondo Creek Farms gave a presentation of the proposed project consisting of 300 lots. Mr. Earl stated he felt the project was at a point where this model would not make economic sense without participation in a private public partnership to get it done and economically feasible. He stated the community consisted of 26 estate lots, single-family residential homes and garden type lots. The average size of the lots were over 10,000 square feet. Mr. Earl stated that of the 201.5 acres owned by the property owner, the plan only allowed the development of less than half of that property. The other half was going to be negotiated to be given away to the public. Mr. Earl stated the property owner would be transferring all water value and pumping right to city utility. Mr. Earl presented illustrations and video of the proposed community development. Discussion ensued regarding deed restrictions, lot sizes, time lines and commercial areas.

13. Discuss and consider repairs at the City of Hondo Pool. (Councilmen Ytuarte and Villa)

Council Member Ytuarte stated at the last meeting the consensus of the Council was not to close the baby pool or make a flowerbed out of it, but to put a padlock on it and lock it. He stated the assistance from the EDC for \$147,000.00 for upgrade and repair for the City of Hondo Pool included the baby pool. He stated if the pump was bad, staff should get a new water pump. He stated he observed staff power washing the parking lot and he did not feel the portion of the funds were to be used to power wash the parking lot. He stated the intended purpose of the funds were to repair the whole complex.

Mayor McAnelly stated the baby pool was specifically not included in the funds. Council Member Villa stated the baby pool was never mentioned to the EDC board. Council Member Vela asked if a quote had been done for the repair of the baby pool. Ms. Socarras stated staff did a ballpark estimate. She stated the list presented to the EDC and Council was very specific on what it covered and she could provide the list to anyone who wanted it. She stated it included the power washing and specific items at the pool but did not include the baby pool because they were trying to tackle the initial, very prevalent issues like the electric and the plumbing. The baby pool had been closed for the past two seasons so it was not addressed initially. Council Member Villa asked if the baby pool was not operational for the past two years should that not have been mentioned to the EDC. Ms. Socarras stated she was happy to explore other options but they were not budgeted. The funds were not allocated for this year. Mayor McAnelly stated discussion at the prior meeting was also directed at installing a splash pad for less liability issues in the next budget year. Ms. Socarras stated a desire for a splash pad had been communicated to her and that was why she had suggested it. She was happy to go whatever way Council wanted. She stated she had ballpark estimates on what it would take to rehab the baby pool. Council Member Vela asked how much it would cost and Mrs. Socarras stated about \$25,000.00 without knowing everything that was wrong with it. The ballpark estimate for a splash pad was \$40,000.00 to \$45,000.00. Council Member Williams stated he felt they needed to evaluate the splash pad before putting money into the baby pool. Interim City Manager Robert T. Herrera stated he looked at the contract and that if Council wanted the baby pool open and running again Council would need to allocate some funding out of the budget to get it going and the chances of it being ready by opening day were not going to happen. He stated why not take the \$25,000.00, match it with another \$25,000.00, and get a splash pad. A splash pad had more amenities and it offered a lot more diversity of what you could use it for. Mr. Herrera stated that from what he read it was clear that a padlock was to be put on the swimming pool and it be addressed in the upcoming budget. He stated Council would need to tell staff very clearly, what it was that they wanted accomplished. He asked Council for direction to move forward. Council Member Williams stated a big reason the baby pool was not included was that staff asked for things they could be done before the pool season and the baby pool was not one of them. He felt they should move forward with the splash pad next year and include it in the budget.

Discussion ensued regarding the safety issue of the baby pool and the fence surrounding the baby pool. Mrs. Socarras stated the baby pool depth maximum water level for a wading pool was 18 inches and the city's was well beyond 18 inches. The existing fence was not practical in an emergency. The lifeguard stand faced away from the baby pool and the backboard did not fit within the fenced area of the baby pool. When looking at safety they were not only looking at drowning situations but all situations including parents that were within the area. Council Member Ytuarte stated he would like to see the baby pool fixed even if it took a budget amendment. Mayor McAnelly stated the consensus up until now was that Council approved the expenditures and decided that staff would padlock the baby pool for this year.

Council Member Villas asked if Council had agreed to padlock the baby pool and come back at the next budget cycle. Council agreed they had.

Council Member Ytuarte made a motion to approve a budget amendment to repair the baby pool and reopen it whether it is June 1 or June 30. With no second, the motion failed.

Interim City Manager asked the Council if they wanted staff to put aside money in the next budget cycle for a splash pad at the pool location. Council replied yes.

14. Discuss and consider concerns of business owners to the sidewalk project. (Councilmen Ytuarte and Villa)

Council Member Ytuarte stated the business owners of Pepe's Pizza did not want their sidewalk demolished.

Council Member Vela asked that since the business owner had expressed their concerns in regards to the sidewalk in front of their business if it was too late to not do that section since they were in the design phase. Mr. Saenz stated it was not too late but there were several aspects that needed to be discussed and they may have to include legal counsel because it was dealing with ADA accessibility. Instead of starting at that point, they could start at the other one so we could give the family or the business owners other opportunity that the city may want to entertain. Council Member Vela stated there were some legitimate concerns in regards to the corner for the business owner and would like to see them addressed and possibly find a happy medium. Interim City Manager Robert T. Herrera stated one of the major goals was to ensure ADA compliance and that particular area possibly had some ADA requirements that needed to be met. He stated he had seen some city when they reach an impasse and it was not a critical safety issue they could agree on a hold harmless agreement.

Soledad Najera, 1102 18th Street stated when she saw the drawing she saw that it could inflict a lot of damage to the structure. She submitted a letter, which stated the proposed demolition and construction continuing with the sidewall basement would damage the structure. She stated the sidewalk had some damage but it was minimal. She stated she expressed to Mr. Saenz she did not want the sidewalk removed. She felt the funding should be for people who most needed it and them area needed a minor touch up. She stated she had a nice big area where trucks could go through easily and it would be difficult for people to turn around if it was repaired.

Mayor McAnelly asked if staff was still in the process of planning and engineering on 18th Street and were those things that could be addressed with the engineers and planners. Mr. Saenz stated they could. He stated he did meet with the business owners and it was never his intention to take out the green area. He wanted to make sure they came to an amicable agreement and it was ADA compliancy they had to deal with. Mr. Saenz stated he would look at what options there were in order to remain in compliance. He stated his direction was to look at more options but still start construction. Council Member Williams stated the corner should be addressed but with no damage to their property or trees.

Council Member Ytuarte asked if the area was not demolished would it stop the project. Mr. Saenz stated it should not but it would butt up against it. There would be some work close to the building. Mr. Saenz stated that because it was CDBG funds he could not change the contract and it was part of the contract. He did not want to lose the monies. He stated he would consult with Mr. Herrera and legal counsel for options.

The City Council of the City of Hondo convened into executive session at 7:52 p.m.

EXECUTIVE SESSION

15. 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. Discuss and consider Submitted Bids on RFB 001-23 for Lease of Airport Water Rights. (Ryan Elder)
- b. Discuss and consider the Climavision Contract. (Chief Soza)
- c. Discuss options for employment agreement for Chief of Police. (Mayor McAnelly)
- d. Discussion regarding Hondo Creek Farms. (Mayor McAnelly)
- e. 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)
- f. Discussion regarding staff actions regarding posts on City social media pages. (Mayor McAnelly)
- g. Discussion regarding letter from Scott Albert to City Council. (Councilmen Vela and Huesser)

The City Council of the City of Hondo reconvened into regular session at 11:35 p.m.

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

Council Member Huesser made a motion to execute a lease agreement with Constanzo Farm, Inc. for \$111.00 per acre-foot of water right for the calendar year 2023-2024; seconded by Council Member Vela. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

Council Member Williams made a motion to allow the city manager to enter into a contract with Climavision; seconded by Council Member Vela. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

17. Adjourn.

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

PASSED AND APPROVED THIS 22th DAY OF MAY 2023.

JOHN McANELLY, JR., MAYOR

ATTEST:

SueAnn Reyes, TRMC
City Secretary